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THE

Life, Times, and Writings

OF THE

RIGHT REV. DR. HENRY PHILLPOTTS,

LORD BISHOP OF EXETER.

B2712

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PREFACE.

IT will perhaps be expected that I ſhould ſay ſomething as to the circumſtances which have led to the production of this work. And this is the more neceſſary ſince ſome writers have commented upon my intentions in a way which, if it raiſes one's eſtimate of their power of invention, ſpeaks little for their ſenſe of juſtice. To none of theſe comments have I thought it needful to reply, but have refrained from ſtating my caſe until the appearance of the firſt inſtalment of my work ſhould give me a ſuitable opportunity for doing ſo.

The circumſtances which led to my becoming the biographer of the Biſhop of Exeter are briefly theſe. In the autumn of 1861 I received a letter from my publiſhers—to whom I was then an entire ſtranger—inviting me to undertake the preparation of a work to be en-

titled, *The Life, Times, and Writings of the Biſhop of Exeter.* I can truly ſay that I was wholly unprepared for this offer. But ſuppoſing that I had declined it, would the projected work have fallen to the ground? I am not vain enough to believe that it would. So that, in point of fact, I am only doing what ſomebody elſe would have done, if he had had the ſame opportunity.

But it has been aſſumed that I have been acting in defiance of the Biſhop's wiſhes, and this aſſumption has furniſhed the text for many a homily at my expenſe. The thought proved too overpowering for moſt of my critics, who could not bring themſelves to part with the aſſumption that was ſo groundleſs, and yet ſo capable of being made effective.

The facts are ſimply theſe. Having collected the neceſſary materials, and having done my beſt to aſcertain that no biography was contemplated by the Biſhop's family, or immediate friends, I wrote to his Lordſhip, announcing the work upon which I was engaged. My letter was courteous and deferential. It is true that, although againſt his Lordſhip's wiſhes I would not have perſiſted in the work, I did not aſk for his co-operation in direct terms—for the treatment which I had experienced at his hands in refer-

ence to a previous publication forbade it—yet I worded my letter in ſuch a way that, while it could convey no offence to a mind however ſenſitive, it was impoſſible to miſtake my meaning. The Biſhop did *not* miſtake it, for he inſtructed his chaplain to ſay in reply that "he feels that he has no right to object to the undertaking," and, in a ſubſequent letter from his Lordſhip to myſelf, he ſays, "*you have an* UNDOUBTED RIGHT *to publiſh ſuch a work.*" Surely this is explicit enough. If any objection is veiled under theſe words, I can only lament that I have not been able to diſcover it. The Biſhop admits my "UNDOUBTED RIGHT" to engage in the undertaking; and if he admits it, who has any reaſon to object? "So far," ſays the *Times*,* "nothing can be plainer and more ſimple than the ſubject-matter of the correſpondence." And this is only doing me juſtice.

But now the ingenuity of my critics begins to diſplay itſelf. The *Times* proceeds to aſſert that I did "not only want to write the Life of the Biſhop of Exeter," but that I wanted "to write it with the Biſhop's advice and aſſiſtance." It is a pleaſant conceit, but, like many other things,

* Auguſt 22, 1862.

it will not bear examination. So far from my looking for any aſſiſtance from the Biſhop, I told my publiſhers, in the very firſt letter I ever wrote to them on the ſubject, that I was confident that his Lordſhip's co-operation could never be obtained. I went, indeed, a great deal further than this, and in the ſame letter added, "*Perſonally ſpeaking, I ſhould prefer writing independently of any help from him.*" This is repeated in my ſubſequent correſpondence with my publiſhers and others, and the tone of the Biſhop's reply to my firſt letter was not calculated to alter my opinion, and cauſe me to ſeek his aid. The truth is, the Biſhop ſaid exactly what I wanted him to ſay. The utmoſt I wiſhed was that he ſhould not object.

And the reaſon is obvious. If the Biſhop had entered heartily into my plan, and had handed me his papers, and otherwiſe rendered me material aſſiſtance, the value of my work as an independent hiſtory would have been gone. It would then have appeared that I was writing at his Lordſhip's dictation, and with the deſire of conciliating his regard. To all intents and purpoſes it would have been a Life of the Biſhop written by the Biſhop himſelf. However intereſting ſuch a work might be, it would at leaſt

be open to the charge of partiality. Now, at all events, my book is beyond ſuſpicion.

But I deſired, it may be urged, "to have the benefit of his Lordſhip's judgment on ſome doubtful and difficult points." It is perfectly true that I did expreſs this deſire; but need it therefore be aſſumed—as my critics have ſo eagerly done—that theſe "doubtful and difficult points" were ſo numerous as to neceſſitate a recital by the Biſhop of the changes and chances of his whole life? In other words, when I wrote this ſentence, was I trying to entrap the Biſhop into revealing to me matters of perſonal and private intereſt, which otherwiſe I could not have known? Such a belief could only have been conceived by one who had no knowledge of the Biſhop. I had already aſſured his Lordſhip that my work would relate, almoſt excluſively, to his *public* life, and that all the requiſite materials were entirely within my reach. Whether I ſpoke truly this preſent volume will ſhow. What then did I mean by the "doubtful and difficult points?" On examining the Biſhop's writings, I occaſionally found that ſtatements and facts were capable of more than one interpretation. My deſire was to find the *right* one. It would have been ſatisfactory to have learnt

this from the Biſhop's own lips. As it is, I have ſpared nothing that labour and reſearch could effect to arrive at the true reſult. I venture to think that even my moſt exacting critics will not view this as militating againſt my avowed deſire of writing an independent hiſtory.

And now I come to a deteſtable charge—I uſe the word adviſedly—that I deſigned to publiſh certain letters written by the Biſhop, without his conſent. The *Times* has directly charged me with having ſaid nothing about theſe letters in the firſt inſtance, ſo that I might have it in my power hereafter to threaten the Biſhop with their publication, in caſe he refuſed to aſſiſt me. I can only regret that any one connected with journaliſm ſhould have ſo far degraded himſelf, while meaning to diſhonour me.

When my work was announced in the public prints, I received offers of aſſiſtance from various quarters, and, amongſt other things, ſome letters written by the Biſhop at different periods were ſent for my inſpection. When I firſt wrote to the Biſhop my work had not been advertiſed, and I did not receive the letters for more than three months afterwards. This, then, diſpoſes of the *Times*. Not one of theſe letters was marked "private," and, on peruſal of them, I found that

there were only a few extracts, relating either to public events, or to theological criticism, which would be likely to interest the general reader. Had it not been for these letters the Bishop would have heard nothing more of me—so little anxious was I for his assistance; but immediately after reading them I did what every honourable man would do under the circumstances, I wrote to his Lordship, saying that I thought it possible that selections from them would be valuable as well as interesting, and offering to wait upon him to submit the extracts, which I proposed to use, for his approval.

I am aware, indeed, that a weekly print has had a great deal to say about the idea of my inviting myself to bed and board at Bishopstowe for an unlimited period, but the writer seems to think that there is no other way of satisfactorily communicating with a bishop except through the medium of a good dinner. In his idea the episcopal heart only expands over a bottle of dry old port. Had he lived in this diocese as long as I have, he would have known better, and would be content to give up the dinner and bed, if he could only command a quiet half-hour of the Bishop's time. And this was really all I wanted—no great thing to ask for, considering

that for eight years and a-half I have been beneficed in his Lordſhip's cathedral city. Had the Biſhop conſented to ſee me, my buſineſs need not have detained him many minutes. I ſhould have read the paſſages I propoſed to uſe, (they were very few,) and have aſcertained his Lordſhip's pleaſure. If this was not an honeſt courſe, I know not what would have been. But in reply to my propoſal the Biſhop wrote to me ſaying that he "*declined altogether communicating with me on the matter.*" When he added that on "ſeeing the letters" he would "tell me whether he would allow the publication of them or not," his Lordſhip failed to give me credit for that ſelf-reſpect which it is the pride of every right-minded man to poſſeſs. How was he to ſee them, if he would not communicate with me? Was I to ſend them to his Lordſhip's chaplain or ſecretary to be dealt with in any way they might think fit? Few prudent men would have counſelled this ſtep, and moſt people would have adviſed me to take the Biſhop at his word, and attempt no further communication with him. Had he not been my *Biſhop* I ſhould certainly have adopted this courſe; but with an earneſt deſire to ſhow all deference to his Lordſhip, and not without a hope that he might be induced to

expreſs himſelf leſs ſtrongly towards me, I wrote the following letter. It was only due to myſelf to ſet before him a ſtatement of the caſe as it affected my poſition with the public. As matters have turned out, it would have been better if in the firſt inſtance ſome ſuch letter as this had been written :—

"Exeter, July 18, 1862.

"My Lord,—I beg to acknowledge the receipt of your Lordſhip's letter of the 13th inſtant, and to call your Lordſhip's attention to the following facts :—

"On the 20th of February laſt I announced to your Lordſhip that I had been aſked to write your Lordſhip's life, and that I had undertaken to do ſo.

"On the 25th of February your Lordſhip replied, through Mr. Barnes, that you offered no objection, but that you declined to afford any help.

"Having collected a vaſt maſs of materials, and among them many letters of your Lordſhip, I wrote on the 11th of July to offer to ſubmit them to your Lordſhip before publication.

"In your Lordſhip's reply of July 13 you decline altogether to communicate with me on the matter.

"Upon the above facts I beg to ſubmit to your Lordſhip that it had not occurred to me when I wrote my letter of the 11th inſtant that if, on the one hand, I ſubmitted to your Lordſhip all letters of your Lordſhip in my poſſeſſion, but do not receive, on the other, your Lordſhip's aſſiſtance towards ſupplying myſelf with reliable matter, I ſhall be in a very unfavourable poſition with the public, becauſe it muſt appear that I am writing under your Lordſhip's direction, while I am not receiving from your Lordſhip the aſſiſtance which can alone make the book valuable. May I beg your Lordſhip to conſider the poſition? As I am able to look at it, it ſeems to

me plain that if I cannot have your Lordſhip's free aſſiſtance I have no alternative but to fulfil my engagement with the publiſhers in the beſt way I can.

"I have the honour to remain,
"Your Lordſhip's obedient ſervant,
"REGINALD N. SHUTTE.

"The Lord Biſhop of Exeter."

The only anſwer I received to this letter was the copy of a Bill which the Biſhop had filed in Chancery, to reſtrain me from publiſhing any of thoſe letters, or extracts from them, that I never had any intention of publiſhing againſt his wiſhes! Not a word had fallen from me to lead to the ſuppoſition that I meant to uſe this correſpondence without the Biſhop's conſent. In the letter in which I informed his Lordſhip that they were in my poſſeſſion I diſtinctly acknowledged his right to ſay whether any portions of them ſhould be publiſhed or not. All that my laſt letter conveyed was, that if he perſiſted in his determination of not communicating with me, I ſhould not part with the letters, but ſhould go my own way. The truth is that the moment I found that the Biſhop would not communicate with me, I gave up all idea of the letters. They were not in any way eſſential to my work. So that when I told his Lordſhip that I had no alter-

native but to fulfil my engagement with the publiſhers in the beſt way I could, I meant him to underſtand that no letters, or anything elſe which he could control, would appear. On reading my letters again I cannot ſee that they admit of any other ſenſe. A ſhort note addreſſed to me by the Biſhop's chaplain or lawyer would have led me to explain my intentions, if any explanation were wanted. The Biſhop, however, preferred to proceed according to proceſs of law, and the energy of his movements induced a portion of the public to believe that I was about to publiſh certain *private letters* of his—a ſtep which, in common with every upright man, I ſhould reprobate and abhor. I can only emphatically affirm that this book would never have been written had the Biſhop objected, and that it was never my intention to give to the world any letters that he might have wiſhed to remain unpubliſhed.

This is the hiſtory of the letters. The Biſhop (I wiſh to ſay it without offence) acted with precipitancy. There was nothing whatever in any of my letters to juſtify ſuch a ſtep as an appeal to the Court of Chancery, without further explanations. His Lordſhip ought to have been very clear about my intentions be-

fore he expoſed me to the odium of doing that which every upright man would ſhrink from.

I will only ſay one word about the ſtructure of this work. It relates excluſively (or nearly ſo), as I told the Biſhop in my firſt letter, to his Lordſhip's *public life*. It never formed any part of my plan to interfere with the confidences of ſocial and domeſtic intercourſe. This part of the Biſhop's life I leave to ſome other biographer. A peruſal of this volume will ſatisfy any one that I have faithfully adhered to my original programme. It was in my power to have added to the work by the inſertion of jokes, ſmart *on dits*, and tales of ſocial life. Nothing, however, is given in this book which need annoy the Biſhop, unleſs, indeed, he be offended at honeſt criticiſm of his writings and public acts. There are weighty conſiderations —certainly not connected with any gain to myſelf— why this biography ſhould appear whilſt the Biſhop is ſtill among us. At preſent it would be improper for me to ſay what theſe reaſons are. I can only aſk my readers, therefore, to give me credit for acting for the beſt.

One word more. The miſapprehenſion that prevails reſpecting many important events of

the Biſhop's life, makes me confident that this book will not be without conſiderable intereſt to a large claſs of readers; but at the ſame time I do not diſguiſe from myſelf the certainty that it will not confirm the prejudices of others. But however it may be received, this much I can affirm, that with high reſpect for the Biſhop it was undertaken, and that it has been written without fear or favour.

R. N. S.

EXETER,
17*th November*, 1862.

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EXETER is proud of its Biſhops; and with good reaſon, for few Sees can exhibit a roll of more illuſtrious names.

The original ſeat of the Biſhopric was at Crediton, from whence it was removed to Exeter

by Leofric (A. D. 1050), who was ſolemnly inſtalled in his new Cathedral by King Edward the Confeſſor, in perſon, and thus became the firſt Biſhop of Exeter, properly ſo called. There had, however, been Biſhops of Cornwall and Devonſhire for more than a hundred years previouſly, but they were only ſuffragans of the See of Sherborne.

Among the more celebrated of the Biſhops of Exeter, many of whom were natives of that city, the following deſerve to be mentioned.*

BARTHOLOMEW (A. D. 1161), who was called by Pope Alexander III. "the luminary of the Engliſh Church," an appellation to which his rare gifts and profound theological learning fully entitled him. Like the preſent occupant of the See, he diſtinguiſhed himſelf by an uncompromiſing oppoſition to his primate (Thomas à Becket).

WILLIAM BRIWERE (A. D. 1224), famous for his ſaintly life, and the deeds of mercy which he performed in the Holy Land.

WALTER DE STAPLEDON (A. D. 1308), who founded Exeter College, and added largely to his Cathedral. He was brutally murdered by a mob in London.

JOHN DE GRANDISSON (A. D. 1327), renowned for his princely munificence, and the ſalutary reforms which he effected in his dioceſe.

RICHARD FOX (A. D. 1487), the chief friend and

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* For a chronological liſt of the Biſhops of Exeter, ſee Appendix A.

counſellor of Henry VII, and the founder of Corpus Chriſti College, Oxford, who united in his ſingle perſon the characters of ſtateſman, architect, ſoldier, herald, diplomatiſt, and prelate: a combination of qualities rare even in thoſe ſtirring times.

HUGH OLDHAM (A.D. 1504), famed for the ſplendid encouragement which he gave to literature.

MYLES COVERDALE (A.D. 1551), the tranſlator of the Bible, who was deprived by Queen Mary.

JAMES TURBEVILLE (A.D. 1555), deprived by Queen Elizabeth for refuſing to take the Oath of Supremacy.

JOSEPH HALL (A.D. 1627), celebrated for his great literary attainments and theological writings. He was ſubjected to much ill treatment and perſecution.

JOHN GAUDEN (A.D. 1660), the reputed author of the Εἰκὼν Βασιλικὴ, and one of the Divines ſelected to confer with the Preſbyterians at the Savoy.

SETH WARD (A.D. 1662), the celebrated Church-reſtorer.

JONATHAN TRELAWNEY (A.D. 1688), who was one of the ſeven Biſhops impriſoned by James II.

Many of the Biſhops of Exeter are famous for the part which they played in hiſtory, and their names are preſerved in ancient chronicles as Chancellors of the Kingdom, Ambaſſadors at Foreign Courts, Tutors and Guardians of Royal Children, and Counſellors of Monarchs. It is true that ſince the Reformation the See has been ſhorn of much of its temporal dignity, in conſequence of the ſpoliation of its revenues, and it

has too often been regarded merely as a ſtepping-ſtone to other and richer preferment; but ſtill the glorious traditions of the paſt remain, and of all the illuſtrious prelates who have ruled the Dioceſe of Exeter, it may be doubted whether any one of them has done more to merit the homage of the Church than the preſent occupant of the epiſcopal throne—the 60th in ſucceſſion from Leofric. His name will ſurvive when thoſe of his contemporaries are forgotten, and the ſervices which he has rendered to religion will be cheriſhed with gratitude, ſo long as England retains her veneration for the Faith which was once delivered to the Saints.

Among the Biſhops of Exeter, ſome may be found who were of humble origin, and raiſed themſelves from mean ſtations to the epiſcopal chair by their talents and learning. The preſent occupant of it—to his honour be it recorded—is of their number.

Henry Phillpotts was born at Bridgwater, an inconſiderable Somerſetſhire town, lying cloſe on the borders of the bloody field of Sedgmoor, and famous for its butter and cheeſe, on May 6th, 1778, and was baptized in the pariſh church on the 16th of the ſame month. He was the ſecond ſon of Mr. John Phillpotts, who carried on the trade of a brickmaker in that town. In 1782 his father removed to Glouceſter, and became the landlord of the "Bell" inn in that city, a tavern of no great pretenſion. In former times none but freemen were allowed to keep inns or hotels in corporate towns; and when any perſon who was not

a freeman, or a ſtranger coming from a diſtance, deſired to do ſo, it was neceſſary that he ſhould firſt be admitted as a freeman—uſually by the payment of a fine. Mr. John Phillpotts was admitted as a freeman of Glouceſter, in conſideration of a fine, on 28th September, 1782, and immediately afterwards took poſſeſſion of the inn.

It is not a little remarkable that the celebrated Nonconformiſt, George Whitfield, was in 1714 born at the "Bell," at Glouceſter, of which his father was the hoſt. Unlike his illuſtrious predeceſſor, however, the future prelate does not appear to have mingled in the buſineſs of the houſe, thereby eſcaping thoſe perils into which Whitfield fell, when, to uſe his own words, —"I put on my blue apron and my ſnuffers, waſhed mops, cleaned rooms, and, in one word, became profeſſed and common drawer for nigh a year and a-half." Better things than this were in ſtore for the ſubject of this hiſtory, for his father ſubſequently relinquiſhed the buſineſs of inn-keeping, and became an auctioneer, and land and timber ſurveyor. At this period he reſided at Wallſworth, near Glouceſter, and was fortunate enough to be appointed land agent of the Dean and Chapter, 30th November, 1799, an introduction which afterwards led to his eldeſt ſon becoming chapter clerk. He died at Glouceſter, widely and deſervedly reſpected, February 22, 1814, aged 70 years; and his widow, Mrs. Sybella Phillpotts, who lived to ſee her ſon aſcend the epiſcopal throne, alſo died in that city, December 31, 1833, at the advanced age of 81.

The early education of Henry Phillpotts was received at the College School at Glouceſter, and it fell to the lot of the Rev. Arthur Benoni Evans, a ſound ſcholar as well as a man of ſome literary taſte, to mould the youthful intellect of the future prelate. At this time he was remarkable more for his ſteady and induſtrious habits, than for any brilliancy of mental power, or originality of thought. After paſſing through the uſual routine of claſſical ſtudies, ſuch as was then in favour in provincial towns, he proceeded to Oxford, and it is much to his credit that, without any of thoſe advantages of education which are inſeparable from large public ſchools, he was able ſucceſsfully to compete for a ſcholarſhip.

On November 7, 1791, he was matriculated at Corpus Chriſti College, at an age when moſt boys have ſcarcely left the nurſery—*thirteen* years. This was the college of Cardinal Pole, Jewel, Hooker, John Hales, and other celebrities. His extreme youth did not prevent him from ſecuring ſome of the ſubſtantial honours and emoluments of the Univerſity; for, having taken his B.A. degree, 3rd June, 1795, he was in the following month elected a Probationer Fellow of Magdalene College on the Somerſet Foundation. In the ſame year alſo he became Univerſity Prizeman, his Eſſay on "the Influence of a Religious Principle" being adjudged the beſt.

And now a ſplendid career was opening before him. A ripe ſcholar, and a Fellow of a diſtinguiſhed Houſe, at an age when moſt boys are ſtill at ſchool, it would

have been eaſy to predict that the higheſt honours of any profeſſion, which he might follow, would await him. His painſtaking habits, joined to indomitable ſtedfaſtneſs of purpoſe, rendered ſucceſs inevitable. Even his enemies have been compelled to acknowledge that if he had carried his talents and application to the Bar, he might have rivalled the greateſt of Engliſh Chancellors.

It was at this time that he was honoured with the notice of one, who was deſtined to exerciſe a powerful and beneficial influence over his future life. In the ſame year that Mr. Phillpotts entered Oxford, Dr. Martin Routh was elected Preſident of Magdalene College, and to him it belonged to mould the mind of the youthful Fellow, and inſtil into it thoſe ſound principles of theology which qualified him in later years to become the uncompromiſing champion of the Faith. What Mr. Phillpotts owed to his intercourſe with this gifted ſcholar and divine—the one living memorial that linked our days to thoſe of the Pearſons, and other giants of theology—it would not be eaſy to ſay. To him, above all others, Mr. Phillpotts ſeems to have opened the hidden receſſes of his ſoul. A faithful counſellor in difficulties, a ready reference in controverſy, a ſcholar whoſe well-ſtored mind was never at a loſs for an apt quotation, a friend whoſe inſtincts ſoared above all earthly conſiderations, Dr. Routh was the man of all others to win and faſhion to noble purpoſes the ardent ſpirit of Mr. Phillpotts. It is due to both of them to ſay that the friendſhip

thus early begun was only terminated by Dr. Routh's death in December, 1854, at a patriarchal age, and that to the very laſt his former pupil was accuſtomed to ſeek his counſel with all the affectionate reſpect of earlier days. Even when the good old Preſident had ſeen him riſe to fame and honours, he ſtill felt towards him as a father, and often was his eye ſeen to brighten when he heard how well he was fighting the good fight, and was laying hold on eternal life.

Another of Mr. Phillpotts' earlieſt friends at Oxford was Mr. Copleſtone, afterwards Provoſt of Oriel, Dean of S. Paul's, and Biſhop of Llandaff. A ſcholar of the higheſt order, and courtier-like in manners, it is probable that this diſtinguiſhed prelate approached, nearer than any man of his day, to Burke's ſtandard of perfection in converſation—"not to play a regular ſonata, but, like the Æolian harp, to await the inſpiration of the paſſing breeze;" and the charm of his friendſhip will long be a cheriſhed remembrance to all thoſe who were honoured with it.

It was while in daily intercourſe with ſuch men as theſe that Mr. Phillpotts' choice of a path in life was made. The firſt ſtep, however, was taken with much deliberation; for it was not until ſeven years after his Bachelor's degree that he was admitted to Holy Orders. Meanwhile, the dignified leiſure of a Fellowſhip on the ſplendid foundation of William of Waynflete, gave him all the opportunity that was wanted for cultivating his literary taſtes, aſſociating with the ripeſt ſcholars, and ſtrengthening the foundation of thoſe ac-

quirements which were to be his bulwark in many a ſtorm to come.

On the 18th of April, 1798, he proceeded to the degree of M.A., and on the 25th of July, 1800, he was elected Prælector of Moral Philoſophy. In 1802 he was appointed one of the firſt examiners of candidates for Univerſity honours, jointly with the late Biſhop of Llandaff (Dr. Edward Copleſtone), and other diſtinguiſhed ſcholars. On the 13th of June in the ſame year he was ordained Deacon by Dr. John Randolph, Biſhop of Oxford. In 1803 he was again appointed one of the examiners of candidates for Univerſity honours. On the 23rd of February, 1804, he was ordained Prieſt, at Cheſter, by Dr. Henry William Majendie, the biſhop of that dioceſe; and on the 27th of October in the ſame year he reſigned his Fellowſhip, having married Deborah Maria, daughter of William Surtees, Eſq., of Bath, and niece of Lady Eldon. On the 5th of November he was ſelected to preach before the Univerſity on the Gunpowder Treaſon.

In the following year (1805) the Principalſhip of Hertford College became vacant by the death of Dr. Hodgſon. This college, under the title of Hert Hall, had been inhabited by ſtudents ſo early as the reign of Edward I, and in the following reign it was conveyed to Walter de Stapledon, founder of Exeter College. In the early part of the eighteenth century, Dr. Newton, the Principal, obtained from George II. a Royal Charter for converting it into a college, under the title

of Hertford College. The attempt was unſucceſsful, and the eſtabliſhment gradually languiſhed for want of funds. On the death of Dr. Hodgſon the Principalſhip was offered to Mr. Phillpotts, but, with commendable prudence, he declined it, as there were many vexatious regulations which he would have been obliged to ſwear that he would keep; and, the time for the appointment of a Principal having elapſed, the Corporation became extinct.

Before quitting this portion of the ſubject, it may be well to notice that Mr. Phillpotts proceeded to the degrees of Bachelor and Doctor of Divinity on the 28th of June, 1821, and that he was elected an Honorary Fellow of Magdalene College on the 2nd of February, 1862. This diſtinction was conferred on him in conſequence of the new ordinance of the Univerſity Commiſſioners having allowed the College to elect a certain number of Honorary Fellows, without emolument, as a mark of honour. Beſides the ſubject of this hiſtory, the only other Honorary Fellows of Magdalene College are Sir Roundell Palmer and the Earl of Roſſe.

The firſt benefice held by Mr. Phillpotts was the vicarage of Kilmerſdon, with the chapelry of Aſhwick, near Bath, in the dioceſe of Bath and Wells, to which he was preſented by the Crown, 1ſt September, 1804. The value of this living is 244*l.* per annum, and the population at the preſent time is 2,200. He continued to hold this benefice until April 1806; but it does not appear that he ever reſided there, ſince all

the entries in the pariſh regiſter during his incumbency are by Daniel Drape, curate, and there are no traditions preſerved of his reſidence.

On 24th December in the following year (1805) he was inſtituted to Stainton-le-ſtreet, in the dioceſe of Durham, value 360*l.*; population 150; patron, the Crown. His name does not appear in the pariſh regiſter, and it is believed that he never reſided there. If it ſhould excite ſurpriſe that ſo young a man, as Mr. Phillpotts then was, who had ſtepped at once from Oxford life into a benefice which would now-a-days be thought a ſufficient proviſion for a pariſh prieſt after years of labour, ſhould have been permitted to hold two livings at the ſame time, without reſiding upon either of them, it muſt be pleaded that he was in affinity to Lord Chancellor Eldon.

In 1806 Mr. Phillpotts became chaplain to the Biſhop of Durham (Dr. Shute Barrington), that diſtinguiſhed prelate having been attracted towards him by the fame of his ability and learning—an appointment which he continued to hold until the biſhop's death, twenty years afterwards. His ſtudies had early been directed to the Roman Catholic controverſy, and an opportunity was ſoon afforded for teſting the depth and ſolidity of his acquirements. In 1806 Biſhop Barrington delivered a charge to the clergy of the dioceſe of Durham, which was afterwards publiſhed at their requeſt, on "the Grounds on which the Church of England ſeparated from the Church of Rome." This was animadverted upon in no very meaſured

terms by an anonymous writer, who was generally ſuppoſed to be Dr. Lingard, the Roman Catholic hiſtorian. Mr. Phillpotts boldly ſtood forward in defence of his dioceſan. Several ſmall pamphlets were written on both ſides with conſiderable ability, and Mr. Phillpotts fully eſtabliſhed his reputation as an accurate thinker, and a controverſial writer of no mean order. The controverſy was renewed ſeveral years later with a more ingenuous opponent than Dr. Lingard had proved himſelf to be, when the corruptions of the Roman Church were moſt completely expoſed. It will ſave needleſs repetition, therefore, if remarks on Mr. Phillpotts' conduct in reference to the Roman Catholic queſtion are deferred until his letters to Mr. Charles Butler come under conſideration.

In the ſpring of 1806, as has been already ſtated, Mr. Phillpotts reſigned the living of Kilmerſdon, and on June 28th, in the ſame year, he was preſented by the Crown to Biſhop Middleham, in the Dioceſe of Durham, This living was held by him *in commendam* with Stainton, and as he fixed his reſidence here for about two years, it will be well to give ſome account of the pariſh. It is a village of conſiderable ſize, irregularly built on two ſloping limeſtone hills, and in the valley between them. The place is poſſeſſed of antiquarian intereſt, the Caſtle of Middleham having been a principal reſidence of the Biſhops of Durham from the Conqueſt till the end of the 14th century. Until 1844, the church was covered with white-waſh, and had been disfigured at every available point by village craftſmen, modern

ſaſhes taking the place of lancet windows. It has recently been reſtored by Mrs. Surtees, the widow of Robert Surtees, Eſq., of Mainsforth, who has a life-rent in ſome property in the pariſh. A ſchool-room, with ſmall garden attached, was built by ſubſcription in 1770. No traces of Mr. Phillpotts' incumbency remain, beyond ſome anecdotes which prove him to have been an active and not always a popular magiſtrate. It may, however, be mentioned, that his ſecond and third children (a ſon and daughter) were chriſtened at Biſhop Middleham, the former having been born in the January previous to his inſtitution to the living.

The next preferment of Mr. Phillpotts was the large and important Pariſh of Gateſhead, to which he was collated by the Biſhop of Durham in 1808.* The value of this living is about 1,050*l.* per annum, and the Rector is alſo *ex officio* maſter of the ancient hoſpital of King James in Gateſhead, deriving from it an income of about 250*l.* per annum. The pariſh, as it now exiſts, contains about 26,000 ſouls, but during Mr. Phillpotts' incumbency it was co-extenſive with the borough, which now contains 35,000 inhabitants. The Rectory was formerly a good houſe with gardens, and a view towards the river; but it was gradually ſurrounded by iron works and other factories. The railway company purchaſed it, and the ſucceſſor

* The day of the month cannot be given, as the firſt ſubſcription book of Biſhop Barrington, relating to the period at which the inſtitution of Mr. Phillpotts took place, has been loſt.

of Mr. Phillpotts, the Rev. J. Collinſon, removed to a handſome and commodious houſe, nearly a mile to the weſt of the pariſh church, which is now the rectory. The church is ſpacious, and of regular architecture, conſiſting of a nave, with uniform aiſles, weſt tower, chancel and tranſept. The whole of the lights are modern. There are no details of intereſt during the ſhort incumbency of Mr. Phillpotts; and the only circumſtance to be recorded is that his ſecond ſon was born in this pariſh.

The friendſhip of the Biſhop of Durham was now bearing moſt abundant fruit, and in the following year (1809) Mr. Phillpotts was collated to the ninth Prebendal Stall* in the Cathedral Church of Chriſt and the Bleſſed Virgin Mary in Durham. If a canonry is a poſt of dignity, it is, at leaſt, no empty honour; and when it is remembered that Mr. Phillpotts, who was now thirty-one years of age, had already held *four* livings, beſides a prebendal ſtall, it muſt be confeſſed that he was fortunate in obtaining ſuch ſpeedy and ſubſtantial recognition of his merits.

Mr. Phillpotts now reſided for a conſiderable portion of the year in Durham, and on the Chapelry of S. Margaret in that city becoming vacant, he was preſented to it by the Dean and Chapter, the 28th of September, 1810. The pariſh is an important one, and contains at the preſent time 6,916 inhabitants. The church was originally one of the four chapels dependent on

* Canonry.

the parochial church of S. Oſwald. It ſtands on the aſcent of the hill, where South Street branches from Croſſgate. The value of the Living is about 330*l.* per annum. During the incumbency of Mr. Phillpotts there were no ſchools; but one for boys and another for girls was built in 1860. A parſonage houſe was alſo built in 1849.

Some ill-feeling was cauſed by the preſentation of Mr. Phillpotts to this living. The Minor Canons regarded it as a peculiar of their own, and one of their number made no ſecret of his diſappointment at his ſuppoſed claim having been diſregarded. Mr. Phillpotts is well remembered by the pariſhioners as a hard-working and zealous clergyman, gifted with great adminiſtrative ability, and ſingularly earneſt in all the duties of his office. The veſtry meetings were not always of the moſt harmonious deſcription, and the tact and addreſs with which he controlled turbulent ſpirits gave evidence of the capacity which he afterwards diſplayed in more important poſts, and under more trying circumſtances.

In the year 1814 Mr. Phillpotts was ſelected to preach the ſermon at the Anniverſary Meeting of the Sons of the Clergy in S. Paul's Cathedral (May 12). His text was 1 *Tim.* iii. 12:—"Let the deacons be the huſbands of one wife, ruling their children and their own houſes well." There is nothing remarkable in the ſermon, except a paſſage relating to the diſqualification of a divorced perſon from undertaking any clerical office, which is not altogether inappropriate

to times which have witneſſed a clergyman ſeeking for relief from the matrimonial bond in the Divorce Court :—

"The extreme facility with which divorces were effected, not only among the Greeks and Romans, but alſo under the Jewiſh law, was more than once remarked on by our Bleſſed Lord in the courſe of His miniſtry; and He was pleaſed to teſtify His reprobation of the practice in the ſtrongeſt terms, and alſo to eſtabliſh in His new Kingdom an inſtitute, according better with that purity of heart and life which it was one main object of His miſſion to inculcate. Since, however, the practice was ſo prevalent, and had hitherto been deemed ſo innocent, it muſt have happened, in many inſtances, that the new convert to Chriſtianity was already the huſband of a ſecond wife during the lifetime of one whom he had divorced. Now, what had legally been done before his admiſſion into the Church would not neceſſarily be annulled even by that law which forbade its followers to uſe the ſame licence. The laſt contract would ſtill ſubſiſt; nor would baptiſm diſſolve an union which the law of Moſes, or of the civil government, had ſanctioned. Yet ſtill as the precept of the Goſpel was in direct oppoſition to it, and as the miniſter of Chriſt would have to inculcate this as well as the other branches of Chriſtian morality, it was obviouſly unſeemly that he ſhould be living himſelf in a connection which the pure law of the Goſpel would compel him to denounce in future as adulterous. It became, therefore, the ſpirit of a religion, jealous of the character of its miniſters, to prevent this ſcandal; and while it did not annul the contract, to exclude thoſe who had engaged in it from being ordained to any of the holy offices of the Church."

It may be intereſting to notice that in the above extract Mr. Phillpotts is following cloſely in the ſteps of S. Auguſtine, who ſays (*De Bono Conjugali*, 18) :—

"On this account the ſacrament of marriage of our time hath been ſo reduced to one man and one wife, as that it is not lawful to ordain any as a ſteward of the Church, ſave the huſband of one wife. And this they have underſtood more acutely who have been of opinion, that neither is he to be ordained, who as a catechumen or as a heathen had a ſecond wife. For it is a matter of ſacrament, not of ſin. But on account of the ſanctity of the ſacrament, as a female, although it be as a catechumen that ſhe hath ſuffered violence, cannot after baptiſm be conſecrated among the virgins of God; ſo there was no abſurdity in ſuppoſing of him who had exceeded the number of one wife, not that he had committed any ſin, but that he had loſt a certain preſcript rule of a ſacrament, neceſſary not unto deſert of good life, but unto the ſeal of eccleſiaſtical ordination."

The reſt of Mr. Phillpotts' ſermon is taken up with a conſideration of the arguments in favour of a married prieſthood; but as our clergy commonly evince little reluctance to enter upon the ſtate of matrimony, it will be needleſs to recapitulate them. It was followed by a collection of 914*l.* 10*s.*

Two more children were born to Mr. Phillpotts before he received his next important piece of preferment—the ſecond ſtall in Durham Cathedral, to which he was collated by the biſhop, December 30, 1815, on the death of Dr. Thomas Zouch. This ſtall, although not the richeſt in the Cathedral, was conſiderably greater in value than the ninth, to which he had already been preferred. He held it for five years, during which time four children were born to him.

And now we approach the period of his literary labours.

CHAPTER II.

Ancient Proviſion for the Poor. Various Enactments. Vagrancy prevented. The Law of Settlement. Diſadvantages of Exiſting Syſtem. Propoſals for remedying them. Mr. Sturges Bourne's Motion. Mr. Phillpotts oppoſed to it. His Letter to Mr. Sturges Bourne. The exiſting Law not complex. Expenſe incurred by Pariſhes in litigation and removals. Debaſing effect of Paupers recording that they have acquired a Settlement. Injuſtice of returning upon Pariſhes aged Paupers who have lived elſewhere. The real Grievance ſtated. Danger of drawing Agricultural Labourers into Towns. Removal of Paupers to their legal Settlement, and ſeparation from their friends and connections. Character of Overſeers. General Merits of Mr. Phillpotts' Letter to Mr. Sturges Bourne.

IN the year 1819 the attention of the country was directed to the Poor Laws, one of the moſt difficult and important queſtions which it has ever fallen to the lot of Parliament to conſider. Previous to the Conqueſt the duty of providing for the maintenance of the poor, who were unable to ſupport themſelves, devolved upon "parſons, rectors, and the pariſhioners, ſo that none of them ſhould die for want of ſuſtenance."* It is ſaid that a fourth part of the tithes was devoted to this purpoſe, and adminiſtered by the

* "Horne's Mirror of Juſtice," c. i. s. 3.

incumbent under the direction of the biſhop. After the Conqueſt, eccleſiaſtical revenues were ſtill devoted to the ſame purpoſe, and monks became the relieving officers, and monaſteries the poor-houſes of the land. From that period till the time of Henry VIII. the ſame cuſtom prevailed, and the wants of the poor were ſupplied by the clergy with pious care. It is worthy of remark, as ſhowing the fidelity with which this truſt was diſcharged, that the firſt legiſlative attempt to provide for the poor was made in the ſame year when the property of ſo many religious houſes was veſted in the Crown.*

A ſtatute for compulſory aſſeſſment for the poor was paſſed in the 14th Elizabeth. This was afterwards confirmed by the 43rd of the ſame reign (chap. 2), which enacted that a convenient ſtock ſhould be provided to ſet the poor on work, and that this ſhould be diſpenſed by the overſeers of the pariſh. It was thought neceſſary to paſs another Act (13 & 14 Charles II. chap. 12), on account of poor people wandering from one pariſh to another, where they were likely to find the beſt ſtock, "and at laſt becoming rogues and vagabonds, to the great diſcouragement of pariſhes to provide ſtocks, where they are liable to be devoured by ſtrangers." Vagrancy of the kind alluded to was prevented by a certificate from the parochial authorities, which the pauper was com-

* 27 Hen. VIII. c. 28, which contains the firſt proviſion by which particular diſtricts are directed to ſupport the poor.

pelled to carry with him when he quitted his pariſh; failing this, he was liable, within forty days, to be taken before a juſtice of the peace, and ſent back to his own pariſh.

It would occupy too much ſpace, although it would be an intereſting employment, to deſcribe the various ſteps of legiſlative enactment in reference to the law of ſettlement. Suffice it to ſay that it was ſurrounded and limited by certain rules and reſtrictions, which were relaxed or tightened according to the temper of the times. It may ſafely be affirmed, however, that no attempt at legiſlation was, upon the whole, ſatisfactory, although the general tendency was to diſcourage vagrancy, and give more freedom to the induſtrious poor.

Thus matters remained until the termination of a long and bloody war left the kingdom free to contend with one of its greateſt domeſtic evils. It was in the year 1819 that the advocates of amendment of the Law of Settlement were ſtrenuous in urging the diſadvantages of the exiſting ſyſtem, which they ſummed up under three heads:—

1. The enormous expenſe incurred by pariſhes in proſecuting and defending appeals, and in removing paupers.

2. The injuſtice under which pariſhes laboured to which old paupers were ſent back, after they had ſpent their youth and ſtrength elſewhere.

3. The hardſhip upon the paupers who, having reſided many years and formed connections at a diſ-

tance, were ſent home to their pariſhes, and ſeparated from all their friends and conſolations, to die in a remote poor-houſe.

In order to remove theſe evils, it was propoſed that a ſettlement ſhould be acquired by reſidence only, and not, as heretofore, by reſidence combined with certain qualifications. The difficulty was, what length of reſidence ſhould confer a ſettlement. One advantage would be gained, in the opinion of the favourers of the ſcheme, for if a reaſonable period were fixed upon, it would obviate the ſeparation of an aged pauper from his friends, provided he went before a magiſtrate and made oath of his reſidence. In caſes of diſpute, it was propoſed that an appeal ſhould lie, not to the Quarter Seſſions, but to two magiſtrates, and thus avoid all needleſs expenſe.

One of the foremoſt advocates of this meaſure in the Houſe of Commons was Mr. Sturges Bourne, who, on the 25th of March, 1819, moved for leave to bring in a Bill to regulate the ſettlement of the poor. As an active juſtice of the peace, Mr. Phillpotts had devoted himſelf to a careful ſtudy of all that related to this moſt perplexing queſtion, and he believed that the propoſed amendment of the law would by no means be productive of ſuch beneficial reſults as were commonly anticipated. He, therefore, addreſſed a letter, on the 6th of April, to Mr. Sturges Bourne,* for the purpoſe

* "A Letter to the Right Hon. William Sturges Bourne, M.P., on a Bill introduced by him into Parliament to amend

of ſhowing that the ſyſtem of the Law of Settlement then exiſting was not fairly open to the charge of complexity alleged againſt it, and that the three evils already referred to would not be leſſened by the propoſed amendment. On the firſt point he remarks with much acuteneſs:—

"The moſt perfect ſimplicity, be it remembered, is very conſiſtent with a great number of particulars. A ſingle ſweeping proviſion will, indeed, neceſſarily be ſimple; but it will not follow that it may not be expoſed by its very ſimplicity to many of the ſame conſequences as reſult from a ſyſtem of extreme intricacy. The main objection to a very complex law is the difficulty of applying it; but, ſurely, this difficulty may equally be cauſed by the extreme ſimplicity of the law, if it meet not with a correſponding ſimplicity in the facts to which it is to be applied."

In reference to the firſt of the three evils to be remedied by the new law,—the enormous expenſe incurred by pariſhes in litigation and removals,—Mr. Phillpotts aſſerts that it amounts to not more than one twentieth part of the whole ſum diſburſed on the poor, or about three-halfpence in the pound on the entire rental of England. He admits that almoſt the whole of this would ultimately be ſaved, but adds:—

"In the earlier ſtages of its operation, and for a conſiderable length of time, I am greatly miſtaken if it would not

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the laws reſpecting the ſettlement of the poor, by the Rev. Henry Phillpotts, M. A., Prebendary of Durham, and one of his Majeſty's Juſtices of the Peace for the County Palatine of Durham."

multiply and aggravate the miſchief in an incalculable degree."

The neceſſity for introducing a proviſion into the new Bill, empowering every perſon, as ſoon as he has reſided in a pariſh long enough to gain a ſettlement, to make a record of his having done ſo, and thus to arm himſelf with evidence againſt the time when he comes to claim pariſh relief, draws from Mr. Phillpotts an earneſt and eloquent proteſt:—

"Nothing can be further from my intention than to ſay one word derogatory to the wiſdom of the general views of thoſe enlightened men who have paſſed this Bill. But it is becauſe I have a very high opinion of their wiſdom, that my aſtoniſhment is excited by a proviſion which directly contradicts the main principle, which bitter experience has taught us to recognize in the policy of poor laws. Surely the great deſideratum of all is to find ſome method of reanimating the ſpirit of proper independence in the lower orders, of withdrawing their views from the pariſh fund, and inducing them to ſtruggle hard againſt the degradation of being compelled to have recourſe to it. Yet here we find the legiſlature itſelf purſuing a directly contrary courſe, and inviting the labourer to familiarize himſelf as early as poſſible with the proſpect of being a pauper, to connect it with all his plans of induſtry or idleneſs—in ſhort, to aſſociate the notion of right, and privilege of triumph over the overſeer, and future gain for himſelf and his family, with that which never ought to be contemplated by a man in health and vigour, but as a diſgrace to be ſhunned, or a misfortune to be deprecated."

In reference to the ſecond evil,—the injuſtice to pariſhes of returning upon them aged or infirm paupers, whoſe youth and ſtrength have been ſpent elſewhere,—Mr. Phillpotts aſſerts that it is not a

common caſe for aged paupers to be removed to the ſcenes of their infancy; and even in caſes where it takes place, he fails to ſee the injuſtice done to their pariſhes. The real grievance, although it is not openly ſtated, he declares to be that the poor who reſide in towns, particularly the manufacturing poor, are often removed to country pariſhes, which would be glad to be excuſed from the burden of maintaining any other decayed labourers than their own.

"But let us," ſays Mr. Phillpotts, "conſider this matter a little more particularly. It will not be denied that a large portion of the natives of every country pariſh are provided for by the occupation afforded in towns. Reference to the regiſter of all ſuch pariſhes will ſhow that the deaths in them bear no proportion to the births; that there is, therefore, a conſtant ſtream of population flowing from the country into the towns. Is it then inequitable, as ſeems to be preſumed, that part of the charge of maintaining theſe ſame perſons in their decay or diſtreſs ſhould fall on the diſtricts which gave them birth, but which have been relieved from the burden of finding employment or ſupport for them in their earlier years?"

The danger of perpetually drawing agricultural labourers into towns is very forcibly ſtated by Mr. Phillpotts:—

"I preſume to add another conſideration, which, obvious as it is, ſeems to be diſregarded: I mean the miſchief of drawing the lower orders of people from the country into towns; a miſchief of which it is hard to ſay whether it be more formidable to the morals and happineſs of the people, or to the peace and ſecurity of the ſtate. Already the evil is felt and lamented by many of the moſt enlightened friends of the poor throughout the land. While the population of

the whole iſland is advancing ſo rapidly, that according to the ſame rate of progreſſion it will have doubled itſelf in little more than fifty years, in ſome of the ancient agricultural pariſhes it is hardly ſuſtained at its former level; in ſome it is even retrograding. Already it is not an uncommon thing for rural labourers to live in the adjacent towns, and never can this take place without injury to thoſe characteriſtic excellencies which were wont to diſtinguiſh the Engliſh peaſant."

In reference to the third evil,—the hardſhip which befalls paupers, who having reſided many years, and formed connections, at a diſtance, are ſent away to their legal ſettlements, and ſeparated from their friends and acquaintances to die in a remote poor-houſe,—Mr. Phillpotts admits that caſes of this kind occaſionally do occur, but denies that they happen ſo often as to make them a fit object of a remedial law. As a proof of this, he inſtances the well-known accommodation between the abſent pauper and his overſeer, which enables him to receive relief without being removed to his pariſh. Overſeers, in Mr. Phillpotts' eyes, are models of courteſy and generoſity. Harſhneſs is unknown, or only known to be reprobated.

"For one inſtance," he affirms, "where a reaſonable arrangement is prevented by the obſtinacy or inhumanity of the overſeer, I believe that fifty may be found where it takes place moſt improperly."

Mr. Phillpotts' experiences have evidently lain in pleaſant paſtures. He believes that relieving officers are to the poor the ſmiling and urbane officials that they appear to him. A few months' work in the lanes

and alleys of one of our crowded cities might have undeceived him. The parochial "Bumbles" have not acquired their reputation for nothing.

That theſe officials have occaſionally very trying duties to perform is true enough, but it is equally true that tyranny and rigour are as often ſeen as pity and diſcretion. But, after all, the fault does not lie ſo much with the relieving officers as with their employers —the Poor Law Guardians—whoſe ſole aim appears to be to compreſs the rates into the ſmalleſt poſſible compaſs. If a few widows and orphans are cruſhed in the proceſs, who has any right to complain? The rates are kept low, and if that is not enough, what more do "liberals" want?*

But preſently Mr. Phillpotts deſcends from the amenities of overſeers, and touches upon the real principle at iſſue in the removal of aged paupers:—

"I do not ſee why ſo great a benefit as gratuitous ſupport at the expenſe of the public ſhould be thought hardly earned by compliance with a condition, which the good of the public requires. If, even in this age of exceſſive ſenſibility, it were attempted to excite our compaſſion for the unhappy officer, or ſoldier, whoſe ſubſiſtence is made to depend on a condition often the moſt painful to his feelings, 'who is torn from his family and connections to die in a remote garriſon'

* Theſe remarks are not intended to apply in any ſpecial ſenſe to the place in which they are written. They are founded on an extended obſervation, and the writer has much pleaſure in teſtifying to the courteous attention which he has always received from the Secretary of the Corporation of the Poor in Exeter, as well as from the officers under his control.

—few of us, I conceive, would think the complaint worthy of a ſerious anſwer. I am myſelf hard-hearted enough to feel as little ſympathy in the preſent inſtance."

After this avowal, it is needleſs to ſay that Mr. Phillpotts is wedded to the exiſting order of things.

Some obſervations on the "misjudging tenderneſs" in the adminiſtration of the Poor Laws bring this letter to a concluſion. It is written with ſome ability, and with conſiderable knowledge of the ſubject from a theoretical point of view. There is, however, an entire abſence of everything that would denote a practical acquaintance with the workings of a moſt intricate and difficult law. Mr. Phillpotts profeſſes very great reſpect for Mr. Sturges Bourne and his companions in philanthropic labour; there is, therefore, no trace of thoſe pungent ingredients which give a reliſh to moſt of his earlier performances. Compared, then, with his other pamphlets, this letter of Mr. Phillpotts muſt be deſcribed as tame. There is nothing in it to mark the future opponent of Jeffrey, Grey, and Canning. It is the production of a country clergyman, well-ſkilled in Quarter Seſſions, and gifted with a certain aptitude for making the beſt of his caſe; but it is nothing more.

CHAPTER III.

Letter of Mr. Phillpotts to Lord Grey on the Roman Catholic Queſtion. Remarks on his Style. Lord Grey's Motion for Repeal of the Teſt Act. Mr. Phillpotts' Motives in addreſſing him. His Qualifications for the taſk. Inducements for the Clergy to mingle in Politics at the commencement of this century. The Tone of Mr. Phillpotts' Earlier Writings accounted for. Hardſhip of the Teſt. How it might have been obviated. Roman Catholic Writers anxious to ſhow that there is very little difference of Doctrine between the Churches of England and Rome. Diſhoneſty of the Attempt. Summary of the chief Differences in Doctrine between the two Churches. Archbiſhop Wake and the Doctors of the Sorbonne. The Archbiſhop improperly quoted by Lord Grey. An Account of his Attempt to reconcile the Anglican and Gallican Churches. Du Pin's "Commonitorium." The Real Preſence vindicated. The Object of Lord Grey's Speech on the Teſt Act. The Source from whence he derived the greater part of his Theological Arguments. His Lordſhip's Remarks upon the 18th Article of Religion and the Athanaſian Creed. Intrepid Conduct of Mr. Phillpotts. Defence of the Athanaſian Creed. The Condemnatory Clauſes. Character of the Letter to Lord Grey. Mr. Phillpotts not an entire Excluſioniſt.

THE letter to Mr. Sturges Bourne was quickly followed by another on a very different ſubject. And here, for the preſent, Mr. Phillpotts thought fit to withhold his name; but, if he deſired concealment, his wiſh was not deſtined to be gratified, for it ſoon became known, beyond the circle of his friends, that he was the "Clergyman of the Dioceſe of Durham" who

had publiſhed (30th of June, 1819,) a Letter to Lord Grey on the Roman Catholic queſtion.* If all other proofs of the authorſhip were wanting, a convincing one might be found in the way in which the writer addreſſes himſelf to his taſk. Firſt of all there is laviſh praiſe, and then there is as liberal blame. And this is the way in which Mr. Phillpotts ſpecially delights to deal with opponents. His mode of treatment may be called the lubricating proceſs. The oil with which the razor is plentifully ſmeared, if it ſoftens the fleſh, only makes the gaſh the deeper. Thus, at the commencement of this letter, Lord Grey is, truly enough, deſcribed as "eminently diſtinguiſhed by talents and eloquence, and, above all, by a character for political and private honour, which ſtamped an additional value on all his high endowments;" while, at the cloſe, Mr. Phillpotts aſſures him, though "in no invidious ſenſe," that he has "yet to learn what the pure ſpirit of Chriſtianity is," and that it was "neceſſary that ſome member of the Church of England ſhould proteſt publicly againſt opinions as injurious to the honour of that Church as they are deſtitute of all ſolid foundation."

This letter to Lord Grey was occaſioned by an eloquent and animated ſpeech delivered by his lordſhip

* "A Letter to the Rt. Hon. Earl Grey, occaſioned by his Lordſhip's Speech in the Houſe of Lords, on moving the ſecond reading of his Bill for Abrogating the Declarations contained in the 25th and 30th of Charles II, commonly called 'the Teſt againſt Popery.'" This letter is ſigned, "A Clergyman of the Dioceſe of Durham."

in the Houſe of Lords, June the 10th, 1819, on his moving the ſecond reading of the Roman Catholic Relief Bill, with ſpecial reference to the Teſt Act. The motion was rendered remarkable, among thoſe which were periodically made on the ſame ſubject, from its having been ſeconded by the Biſhop of Norwich (Dr. Bathurſt), who refuſed, as he ſaid,

> "To make the ſymbol of atoning grace
> An office key, a pick-lock to a place."

But, in ſpite of the epiſcopal ſanction thus accorded to the Bill, it met with little ſympathy in the Houſe, and was lost by a majority of fifty-nine.

That the meaſure had been defeated would have been enough for moſt men, but in the judgment of Mr. Phillpotts it required a letter to make the victory complete. Within the month, therefore, a letter was forthcoming. It opens, as has been already ſaid, with ſome complimentary remarks on the character and endowments of Lord Grey. The writer then proceeds to ſay that, though the Roman Catholic queſtion ſeems to him to be purely *political*, yet, ſo many religious topics had been unneceſſarily dragged into the diſcuſſion, and particularly by his lordſhip, that he thinks it not foreign to his office to expoſe poſitions which are wholly untenable, and facts which have been greatly miſapprehended.

There can be little doubt that Mr. Phillpotts poſſeſſed the requiſite qualifications for the taſk which he had undertaken, and that he fulfilled it, upon the

whole, with judgment and moderation; but how far it is becoming in a clergyman to mingle in a queſtion which he admits is purely political, for the ſake of expoſing the bad theology of a ſtateſman, muſt be determined, to ſome extent, according to the ſpirit and feeling of the times. Now-a-days the attempt would be intolerable, and would be met with cold diſdain. The offending paſtor would be remitted to his pariſh with an unmiſtakeable hint to mind his own buſineſs. But fifty years ago the caſe was different. Clergymen then mingled freely in all the conteſts of a ſtirring age. It was not thought beneath the gravity of their calling to aſſume the part of whippers-in at elections, or of political lampooners. A pamphlet had often led the way to a ſtall. Rich livings had been won by ſtill more queſtionable means. Hence it was that men fitted to ſhine in the world of letters, or ambitious to earn a miniſter's regard, were dragged, however reluctantly, into the whirlpool of political controverſy. The fault was not entirely their own. They might, indeed, have followed the obſcurer life of paſtoral uſefulneſs; but, once having quitted it, they were impelled by the neceſſities of an imperious age. And this may help to account for the controverſial tone of the whole of Mr. Phillpotts' writings, up to the time of his elevation to the Epiſcopal Bench. His political ſentiments were keen and well-defined, his temper was ardent, his attachment to his party was ſtrong: what wonder, then, if, in an age which valued and rewarded theſe qualities, he ſhould often be ſeen in the front

rank of the battle, ſingling out for combat the moſt giant-like of his opponents?

But to return to the letter. Mr. Phillpotts readily enough admits that there is "a palpable anomaly in exacting from civil officers a much more violent declaration againſt theſe tenets* than is required as a qualification even for admittance into Holy Orders."

The injuſtice of this is manifeſt. But becauſe the Teſt was a hardſhip it did not follow that henceforward there ſhould be *no* ſecurity at all. If, inſtead of ſeeking altogether to repeal the Teſt, Lord Grey had ſuggeſted the adoption of ſome milder form of ſecurity, he would in all probability have carried with him the majority of the thinking men in the country.

But while Mr. Phillpotts admits that the object of the Teſt might be equally well obtained by adopting a leſs offenſive form of ſecurity, yet believing the propoſitions embodied in it to be not only true, but of main importance to the cauſe of pure religion, he feels it his duty to addreſs his lordſhip. And this brings him to the chief ſubject of his letter:—

"One of the moſt ſtriking characteriſtics of your ſpeech," he ſays, "is a readineſs to inculcate the notion that there is, in reality, very little difference of doctrine between the Churches of England and of Rome. The attempt is not a new one. It has long been the uſage of the moſt wary advocates of the latter Church, when defending their cauſe before the Proteſtants both of this country and of France, to ſtate their tenets, and deſcribe their practices, in a manner

* Embodied in the Teſt Act.

the leaſt offenſive to the principles of thoſe whom they addreſs. Such a policy, reſtrained within the bounds of truth and ſincerity, would merit nothing but commendation. Theſe, however, are not reſtraints which the writers of that communion have always thought it neceſſary to obſerve. From the age of Boſſuet to the preſent time there have never been wanting men who will ſtrain, or compreſs, the doctrines of their Church to whatever point the intereſts of the day may require: and if the more ſtaunch and artleſs believers are ſometimes ſhocked by the latitude in which they indulge, it is ſeldom difficult to prevent or to palliate the ſcandal of an open rupture."

A little further on he ſums up what he conceives to be the chief differences in doctrine between the two Churches:—

"If no political bias had influenced your judgment, it would have been impoſſible for you to overlook the wide and irremovable barrier which ſeparates the tenets of your own Church from the corruptions of Rome. You could not have forgotten that the majority of our Articles are framed in direct oppoſition to thoſe corruptions; that in what relates to the rule of Chriſtian Faith—to man's juſtification—to the nature of good works, whether they be meritorious—to the Church, its fallibility, and its authority—to the duty of religious worſhip, whether it is to be confined to God, or communicated to the Virgin Mary, angels, or ſaints—to the adoration of images and relics—to Common Prayer in language underſtood by all—to the Sacraments, their number, matter, form, and efficacy—to the ſacrifice of Chriſt upon the Croſs, and the perfect propitiation and ſatisfaction wrought by it for the ſins of men—to His mediation and interceſſion for us with the Father,—that in all and every of theſe particulars, there are irreconcilable differences between the two Churches."

But by far the moſt intereſting part of this letter is that which relates to the correſpondence of Archbiſhop Wake with the Doctors of the Sorbonne. Lord Grey, in the courſe of his ſpeech, had quoted a paſſage from the writings of this diſtinguiſhed prelate, ſetting forth that, in a compariſon between the Church of England and the Church of Rome, "their articles of faith differed very little, their diſcipline ſtill leſs, and that in fundamentals they were nearly the ſame." For the *Church of Rome* evidently ought to be read the *Gallican Church;* and the letter, from which Lord Grey quotes, relates to the ſcheme which the Archbiſhop had formed of reconciling the Anglican and Gallican Churches. If the ſtatement of ſuch a keen controverſialiſt as Archbiſhop Wake were left unexplained, the moſt ſerious miſchief would be likely to enſue; Mr. Phillpotts, therefore, having devoted much time and trouble to the conſideration of this ſubject, and having invoked the aid of one of the greateſt of living ſcholars, proceeds to ſum up the reſult of his reſearches as follows:—

"During the violent proceedings of the Court of Rome againſt that part of the Gallican Church which refuſed to receive the bull 'Unigenitus' as an eccleſiaſtical law, ſome doctors of the Sorbonne, particularly Du Pin, the ableſt and moſt diſtinguiſhed among them, whether from a ſincere intention of ſhaking off the Papal yoke, which ſeemed to be borne with ſome impatience throughout France, or merely with the hope and purpoſe of terrifying the Vatican into better treatment of themſelves, or perhaps from a mixture of both theſe motives, teſtified their wiſh for

a reconciliation with the Church of England. Archbiſhop Wake, to whom this intimation was conveyed, anſwered, as became a Chriſtian Biſhop, in terms which at once beſpoke his anxious deſire of peace and union, and his inflexible conſtancy in the cauſe of truth. In the progreſs of the correſpondence the French Divines began to form a plan of union, and even to ſtate the terms on which they were willing to effect it. Du Pin drew up a paper, entitled, '*Commonitorium de Modis ineundæ pacis inter Eccleſias Anglicanam et Gallicanam.*' Without entering largely into the contents of this document (a copy of which is ſtill extant among the Wake MSS. in the library of Chriſt Church, Oxford), it may be ſufficient to ſay, that it examined ſeparately the Articles of the Church of England, ſpecifying the extent to which agreement with them could be carried; and that in many important particulars great conceſſions were made, eſpecially the ſufficiency of the Holy Scriptures for ſalvation, with a ſlight ſalvo for tradition, as not exhibiting new Articles of Faith, but only confirming and illuſtrating thoſe contained in Scripture, juſtification by Faith alone, the fallibility even of the Church of Rome, conſidered as a particular Church, were freely admitted. Indulgences were limited to relaxations of temporal penances *in this life*, the worſhip of the Croſs, relics, and images, was reduced to an external reſpect, and that not of a religious nature; the invocation of ſaints ſeems to have been given up; the fitneſs of celebrating Divine Worſhip in the vulgar tongue was not diſputed—the Communion in both kinds was held indifferent, and in the article of the ſupremacy of the civil magiſtrate, ſome not inconſiderable points were conceded. Even tranſubſtantiation, though the doctrine without the name was affirmed, ſeems to have been retained only as a ſpeculative point, without involving the duties of adoring the Hoſt, or thoſe other conſequences which have made it ſo juſtly revolting to all conſiderate Proteſtants. 'In our Liturgy,' ſays Wake himſelf, in a letter to his Engliſh cor-

reſpondent, 'there is nothing but what they allow of, ſave the ſingle rubric relating to the Euchariſt; in theirs nothing but what they agree may be laid aſide, and yet the public offices be never the worſe for it, or more imperfect for want of it.'"

Still, notwithſtanding theſe advances, the Archbiſhop was not very ſanguine in his expectation of a reunion.

"Without the entire excluſion of the papal authority from the Church of France, he deſpaired of an effectual accommodation; with it he hoped for everything. This therefore was the point to which he directed his main efforts; but this, he plainly ſaw, could only be accompliſhed through the co-operation of the Court. Some proſpect of ſuch a co-operation was for a while preſented. The Regent and his miniſter ſhowed themſelves favourable, but the artifices of Rome prevailed; and the attraction of a Cardinal's hat for the infamous Du Bois was ſufficient to extinguiſh the dawn of reformation in France, almoſt as ſoon as it had ariſen. It was after the Archbiſhop's hopes of the aſſiſtance of the Court had proved illuſory, that he wrote to Du Pin the letter from which your Lordſhip's quotation was taken; —and I may now venture to aſk, whether anything more fallacious can be deviſed, than to repreſent the language of Wake addreſſed, under ſuch circumſtances, to Du Pin, as intended to characterize the doctrine and diſcipline of the Church of Rome?"

The remarks upon tranſubſtantiation which follow merit little notice, except in ſo far as the ſubject affords to Mr. Phillpotts an opportunity of vindicating the doctrine of the Real Preſence. The ſame obſervation applies to his treatment of thoſe portions of the Declaration which relate to the "invocation of ſaints," and "the idolatrous nature of the ſacrifice of the maſs."

Both of theſe topics might well have been omitted altogether, had not the remarks of Lord Grey ſeemed to Mr. Phillpotts to demand ſome notice. This was the more neceſſary ſince the object of his lordſhip had been, for political purpoſes, to repreſent the creed and the diſcipline of the Church of Rome as nearly in accordance with thoſe of the Church of England. He had not calculated, however, upon meeting with an adverſary, like Mr. Phillpotts, who would follow him through all the mazes of a ſhifting controverſy with inexorable pertinacity. The accuracy with which he fathomed Lord Grey's theology is ſet forth by himſelf with quiet irony ſix years later, when he ſays of Dr. Milner's *End of Controverſy*, that it "is the grand ſtorehouſe from which a main portion of the facts and evidence, adduced by the noble Earl, appears to have been drawn; and a nice obſerver might, perhaps, without much difficulty, ſelect ſome ſix pages of this work, in which all the theological learning diſplayed in that memorable debate would be found to be compriſed."

Having diſpoſed of the queſtion of the Teſt, Mr. Phillpotts proceeds to a part of Lord Grey's ſpeech, which, as it appears to him to "affect the honour of the Church of which he is a miniſter," calls for ſpecial notice. His lordſhip appealed to the Epiſcopal Bench "whether the 18th Article of the Church of England, or that part of the Liturgy which it had been the well-known wiſh of our pious Sovereign to ſee withdrawn, are congenial to the pure ſpirit of

Chriſtianity." It was underſtood that the part of the Liturgy referred to was the Athanaſian Creed. However high or honoured the name that might be cited againſt it, Mr. Phillpotts rightly felt that there was but one courſe open to any miniſter who valued conſiſtency above favour, and that was to profeſs his firm conviction that the Creed was not only true in its doctrine, but moſt highly ſerviceable in its uſe.

"The object of the Creed," he well ſays, "is to proclaim belief in thoſe great and diſtinguiſhing doctrines of our religion, the Trinity of Perſons in the Godhead, and the Incarnation of the Bleſſed Son; doctrines, which they who hold them cannot but eſteem of eſſential importance, for on them depends the honour which is due to our Redeemer and our Sanctifier. It is true, that a ſimple profeſſion of Faith ſufficed for the infant Church; that before the Divinity of the ſecond and third Perſons (implied in the Apoſtles' Creed) was aſſailed by heretics, it was not deemed neceſſary to depart from the ſimple words of Scripture. But when the words of Scripture were uſed in a ſenſe which depraved its meaning, and diſhonoured the object of Chriſtian worſhip, it became neceſſary to guard the true faith by an expoſition, which the ſubtlety of the adverſary could not pervert. The Creed in queſtion effects this purpoſe; it both ſtates plainly what Scripture teaches of each of the Divine Perſons, and alſo introduces diſtinctions, which prevent the unwary from being miſled by thoſe, who, under the words of Scripture, maintain opinions inconſiſtent with its higheſt truths. But theſe diſtinctions need not be regarded by any who hold the main doctrine."

Every Churchman will be thankful for this manly expoſition of the value of the Creed. Mr. Phillpotts then proceeds:—

"The condemning or cautionary clauſes, (call them which you will,) apply to the Catholic Faith generally, and to the doctrines of the Trinity and Incarnation in particular: and he who taxes them as uncharitable, would do well to remember, that as they ſay not leſs, ſo neither do they ſay more, than our Lord Himſelf pronounced of every one 'that believeth not.' The only queſtion which can be raiſed is about the truth of the doctrine; for they who admit it to be true, muſt ſee that it is fundamental, that the denial of it muſt come within that denunciation which He, Who is emphatically ſtyled 'Love,' forbore not to make."

More on this ſubject occurs further on. Meanwhile enough has been ſaid to give promiſe of the ability and profound theological learning which Mr. Phillpotts brought to his conteſt with Mr. Charles Butler. This letter to Lord Grey is manly in tone, and, with the exception of ſome few expreſſions towards the end, temperate in diction. The writer is evidently not an entire excluſioniſt; but he is unwilling to remove the Roman Catholic Diſabilities without receiving ſufficient ſecurity for the maintenance of Church and State.

CHAPTER IV.

Meetings of diſtreſſed Manufacturers at Birmingham and Leeds. A Reform Meeting at Mancheſter charged by the Yeomanry Cavalry. A great number of People ſabred and trodden under foot. Several Lives loſt. Indiſcreet Haſte of the Magiſtrates. Their Conduct approved by Government. Letter of Thanks from the Prince Regent. Feeling of the Country. Subſcription Liſts for the Sufferers. Addreſs of the Lord Mayor and Citizens to the Prince Regent. His Reply. Indignation Meetings held in the Provinces. The Durham Meeting. The Reſolutions. A Declaration againſt the Meeting drawn up and ſigned. The Name of Mr. Phillpotts among the ſignatures. An Abſtract of the Declaration. Mr. Phillpotts addreſſes a Letter to the Freeholders of the County of Durham. His Motive for doing ſo. Whether it was neceſſary for him to come forward. The real Object of his Pamphlet. The Proceedings of the Durham Meeting conducted with Propriety. Mr. Phillpotts' ſarcaſtic Deſcription of it. His Statement of the Proceedings of the Meeting. Attack upon Mr. Lambton. Its Injuſtice. Effect of the Letter to the Freeholders of the County of Durham. Anonymous Anſwers to it. Article in the Edinburgh Review. *A cheap Edition of it. Mr. Phillpotts' Statement in reply. Its Character. Mr. Phillpotts dreaded as an adverſary. His Deſcription of "Liberals." His Eſtimate of the Reviewer.*

THE unhappy events which occurred at Mancheſter, in 1819, afforded to Mr. Phillpotts an opportunity, which he was by no means ſlow to embrace, of appearing before the public as the champion of Government.

During the ſummer large meetings of diſtreſſed

manufacturers were held at Birmingham, Leeds, and other centres of labour. Matters were carried so far that a "legislatorial attorney" was elected to represent the people of the former place. On the 9th of August a similar meeting was appointed to be held at Manchester; but, on the magistrates declaring that an assembly for such a purpose was illegal, it was abandoned, and another meeting was announced for the 16th of August, for the purpose of petitioning for a Reform in Parliamentary representation. The summons was not disregarded, and an immense multitude of people, computed by some at 80,000, assembled in a piece of ground called S. Peter's field. The chief orator was Mr. Hunt, who harangued the assembly from a hustings made of waggons, and surmounted by flags bearing the inscription, "No Corn Laws," "Annual Parliaments," "Universal Suffrage," "Vote by Ballot," and other devices dear to popular agitators. While he was speaking, and before any breach of the peace had occurred, the Yeomanry Cavalry, supported by the 15th Hussars, dashed into the crowd with sabres drawn. No resistance was offered. Mr. Hunt and others were made prisoners, and, had it not been for the prompt interference of Mr. Nadin, a chief constable, the yeomanry would have fulfilled their intention of cutting him to pieces. Another charge was then made at the flags, during which numbers of people, including a peace-officer, were sabred and trodden under foot. So little discrimination was shown by the excited soldiers that a gentleman who

was taking notes for the *Times* was arreſted, and carried off to priſon. No act of violence had been attempted on the part of the crowd, which was unarmed, until the charge of the yeomanry, and no one preſent knew that the Riot Act had been read.

Such is an outline of this terrible outrage, in which ſeveral defenceleſs men loſt their lives, and others, including women and children, were ſeriouſly injured. There can be no doubt that the magiſtrates, in the fervour of their loyal zeal, exhibited far too great haſte upon this unhappy occaſion, and having once directed the yeomanry againſt the crowd, they were unable to reſtrain them. Nevertheleſs, their conduct was approved by Government, the approbation being, as an acute thinker* remarked, "the ſuppoſed price of ſupport from the Tories in that part of the country." Three days after the diſaſter, the Prince Regent wrote to the Home Secretary (Lord Sidmouth), from his yacht at ſea, conveying his approbation and high commendation of the conduct of the magiſtrates and civil authorities at Mancheſter, as well as of the officers and troops, both regular and yeomanry cavalry, whoſe firmneſs and effectual ſupport of the civil power preſerved the peace of the town upon that moſt critical occaſion.

The ſenſation created throughout the country by theſe events was moſt profound. It ſeemed incredible that an act of wanton butchery, ſuch as could be juſtified

* Lord Dudley, Let. 43, to Bp. Copleſtone.

only by the laſt extremity, ſhould be endorſed by the higheſt powers in the land. Immenſe ſympathy, therefore, was manifeſted for the ſufferers, and in London and Liverpool it took the ſhape of liberal pecuniary contributions. The excitement reached its height when it became known that ſeveral bills for cutting and wounding, which had been preſented to the Grand Jury at Lancaſter, againſt various members of the yeomanry corps, had been thrown out, and that the magiſtrates had refuſed to commit for charges connected with the 16th of Auguſt which had been brought before them.

It was under ſuch circumſtances as theſe that a Common Council of the Lord Mayor, Aldermen, and citizens of London was held on September the 9th, at which a reſpectful addreſs to the Prince Regent was agreed upon, praying him to inſtitute an immediate and effectual inquiry into the outrages that had been committed, and to cauſe the guilty perpetrators thereof to be brought to ſignal and condign puniſhment. His Royal Highneſs returned a reply which ſeverely cenſured the conduct of his petitioners, and peremptorily refuſed the inquiry which they ſought.

But the demand for prompt and impartial inveſtigation was not ſo eaſily to be ſet aſide. The ſpirit of the country was fairly rouſed. People who acknowledged no ſympathy with the opinions of the Radical Reformers of Mancheſter felt that an outrage had been committed upon the liberty of the ſubject. Many large cities and towns, therefore, following the ex-

ample of London, held meetings, and, with more or leſs excitement, adopted ſimilar reſolutions. Amongſt other places, a very influential meeting of the gentry and freeholders of the County of Durham was held on the 21ſt of October, in the County Hall, Durham, in conſequence of a numerouſly-ſigned requiſition which had been preſented to the High Sheriff, the Hon. W. Keppel Barrington. At eleven o'clock that gentleman, accompanied by Mr. Lambton and Mr. Powlett, members for the county, and others who had ſigned the requiſition, entered the hall. The doors being thrown open, the general public were admitted, and the building was immediately filled with a crowd of well-dreſſed people, who had for ſome time previouſly collected around. After the uſual preliminaries, and ſome apologies from the ſheriff for his inexperience in public affairs, Dr. Fenwick propoſed, and George Baker, Eſq., ſeconded, the following Reſolutions, which were carried without one diſſentient voice:—

"1. That it is contrary to the principles of the Conſtitution, and a dangerous invaſion of one of its moſt important privileges, forcibly to interrupt and diſperſe any meeting of the people, legally aſſembled, and peaceably held, for the conſideration of any matter affecting the public welfare.

"2. That the diſperſion of the Meeting held at Manchester on the 16th of Auguſt laſt, by a military force, whereby many of his Majeſty's ſubjects were grievouſly wounded, and ſome actually killed, has filled us with anxiety and alarm, and that we have ſeen with aſtoniſhment and regret the approbation which his Royal Highneſs the Prince

Regent has, without any ſufficient opportunity for inquiry, been adviſed to give to thoſe perſons concerned in the direction and execution of that meaſure.

"3. That, although nothing has appeared which juſtifies the conduct of the Magiſtrates and Yeomanry on that occaſion, we are unwilling to pronounce a poſitive cenſure upon it, without hearing all that can be alleged in their defence; but that we feel it to be our duty to demand a ſtrict and ſolemn inveſtigation of occurrences, which have proved ſo calamitous to ſo many of our fellow-ſubjects, and which tend to the eſtabliſhment of a precedent of the utmoſt danger to the liberties of the country.

"4. That while we thus expreſs our opinion, we diſclaim any approbation of the political principles of thoſe by whom the Meeting at Mancheſter was convened, and declare our unalterable attachment to the Conſtitution, and firm determination to ſupport the authority of the laws againſt whoever may violate them.

"5. That an humble Addreſs be therefore preſented to his Royal Highneſs the Prince Regent, conformable to the tenor of the above Reſolutions."

Mr. Phillpotts had refuſed to take any part in this Meeting, having previouſly appended his name to a "Declaration" which had been drawn up and ſigned by ſome noblemen, magiſtrates, clergy, and others, at the ſuggeſtion of Lord Sidmouth, who had adviſed that "ſome of the moſt reſpectable perſons in the kingdom ſhould meet and agree upon ſuch a Declaration as the criſis calls for, and, after having publicly announced it, leave copies of it at different houſes of reſort for ſignature."

The Declaration of "the nobility, gentry, clergy, and freeholders of the County of Durham," com-

mences with a ſtatement, on the part of thoſe who ſigned it, that they feel a proper and conſtitutional jealouſy for the maintenance of their rights and privileges, and that they are determined that no effort ſhall be wanting on their part to tranſmit them unimpaired to poſterity. Having made this unequivocal declaration, they go on to ſay that they ſincerely deplore the unhappy occurrences which have lately taken place at Mancheſter, and they truſt, that, in order to allay the popular ferment, as well as in juſtice to thoſe who have ſo loudly been accuſed of being the authors of the troubles, the legal inveſtigation of the whole of theſe tranſactions, which has already been inſtituted, may ſpeedily be brought to a cloſe. They next lay it down, as a fundamental law of the country, that no one is to be condemned unheard, and continue, "ſhall we then ſuffer the magiſtrates of the land, and its brave conſtitutional defenders, the yeomanry, not only to be vilified and abuſed, but even to have ſentence pronounced againſt them in their abſence, and without having an opportunity of defending themſelves?" They then declare that they will ſuſpend their judgment, and call upon their fellow-countrymen to do the ſame. Reference is next made to the agitated and almoſt convulſed ſtate of the country, and the rapid ſtrides which ſedition and blaſphemy are everywhere making. Firmly impreſſed with theſe ideas, the declarationiſts expreſs their determination not to attend any county meeting, to diſcuſs matters connected with the late tranſactions at Mancheſter, and enter their

proteſt againſt all ſuch diſcuſſions, as not only unneceſſary and premature, but as calculated to interfere with the impartial and diſpaſſionate judgment of thoſe by whom alone the queſtion can be conſtitutionally decided, and to promote the objects of turbulent and factious men. They conclude by ſaying, "We ſolemnly, in the face of our country, declare, that we will collectively and individually defend, to the utmoſt of our power, the altars of our God, the throne of our king, and the glorious free conſtitution of the country."

This "Declaration" is dated October 19, 1819, two days before the county meeting, and bears ſixty-ſeven ſignatures. Copies of it were ſubſequently ſent for ſignature to other places in the county, including Biſhop Auckland, Darlington, Stockton, Gateſhead, Walſingham, South Shields, Sunderland, Barnard Caſtle, Staindrop, and Newcaſtle.

Mr. Phillpotts having thus vindicated his title to be conſidered one of "the moſt reſpectable perſons in the kingdom," in the miniſterial acceptation of thoſe words, proceeded to addreſs a letter to the freeholders of the County of Durham, which appeared October the 26th, five days after the meeting. His motive for coming forward is thus given by himſelf:—

"I am one of thoſe who have affixed their ſignatures to the 'Declaration' which is now circulating through the county, and is, I hear, welcomed in every part of it with ardent approbation. Thoſe who ſign it are ſaid to have been reproached by one of the repreſentatives of the county,

Mr. Lambton, as afraid to come manfully forward and avow their ſentiments in the face of thoſe who differ from them. To that defiance, I for one, am not unwilling to anſwer. The Declaration itſelf has explained ſome of the reaſons which kept me from giving my anſwer where it was demanded; and I cannot heſitate to confeſs, that to harangue a meeting, in which an impartial hearing could not be hoped for (even if the ſubject had created no objections), would have ill accorded with my perſonal or profeſſional feelings. A philoſopher of old declined arguing a point with a Roman Emperor, 'I do not diſpute,' ſaid he, 'with a man who has forty legions.' In like manner, the hon. gentleman ſhall have his own way, as far as I am concerned, when he has a mob on his ſide. But I have not the ſame difficulty in meeting him in print; we are then on terms of equality. The reading public will allow to each of us the due, and only the due, weight of his reſpective arguments; and I cannot affect, what aſſuredly I do not feel, that there is anything, either in the authority or in the talents of that gentleman, to make an ordinary man backward to cope with him. In truth, backwardneſs at the preſent moment would argue, not ſo much diffidence in our abilities, as treachery to our cauſe."

Whether it is a fair uſe of terms to deſignate a meeting preſided over by the high ſheriff, ſupported by two county repreſentatives, "a mob," it is ſcarcely worth while to inquire; but whether it was at all neceſſary for Mr. Phillpotts to appeal to the public on ſuch a matter as this, is a queſtion which will be anſwered according as people think on the ſubject of political pamphlets being made a ſtepping-ſtone to eccleſiaſtical preferment. If he believed that it was a point of honour to take up the gauntlet thrown down, as he imagined, by thoſe who deſired inquiry, he had

been anticipated in his chivalrous deſign, for already there was another clerical champion in the field, in his own dioceſe, the Rev. John Daviſon, Rector of Waſhington, whoſe popularity and talents ſecured for his pamphlet an extenſive circulation.

But, in truth, while Mr. Phillpotts was endeavouring to delude himſelf into the belief that it was needful to defend *himſelf* and his co-declarationiſts, he very ſoon found himſelf writing a letter the manifeſt object of which was to defend the *Government*. Accordingly, as his pamphlet proceeds, his natural acuteneſs is too great to allow him to be blinded by the plea of ſelf-vindication.

"It is an unpopular courſe," he ſays, "at any time to ſtep forward as the advocate of Miniſters, on a diſputed point. He who undertakes that office is commonly ſuppoſed to have other motives than a love of juſtice."

Theſe two ſentences, paving the way for a defence of the Miniſters which immediately follows, furniſh the key to the whole of the pamphlet. The miniſters are in ill-odour; Parliament is not likely to meet for the preſent; popular frenzy is at its higheſt. Anything that may be ſaid to ſtifle inquiry will not be taken amiſs when better days come round. But while this is the obvious aim of the letter, it is only juſtice to Mr. Phillpotts to give full effect to that part of it which relates eſpecially to the county meeting at Durham. Whether ſuch a meeting ought to have been held it is immaterial to inquire. That its deliberations were

conducted with propriety is allowed by Mr. Phillpotts himſelf, when he ſays,—

"I readily admit, that if any ſteps were to be taken, it could not be expected that a more moderate courſe would be purſued than is preſented in the Reſolutions of the meeting."

It is true that this is qualified, a little further on, by a deſcription of the conduct of thoſe who attended the meeting, which is, perhaps, more humorous than juſt:—

"It amounts, at leaſt, to finding a bill of indictment againſt the magiſtrates, or the military, againſt ſome of whom, be it remembered, bills were in fact laid before the grand jury of Lancaſhire, and by them thrown out. The grand jury at Lancaſter were ſworn that they would 'diligently inquire and true preſentment make,' and they had witneſſes before them, who were ſworn to ſpeak the truth. Under theſe circumſtances, they found it their conſcientious duty to reject the bills. The gentlemen in our court at Durham have the advantage of not being fettered in their inqueſts by the reſtraint of an oath, and they have the greater advantage of being able to give as much credit as they pleaſe to all the unauthorized ſtatements which have iſſued from the preſs, under a ſtate of public feeling inflamed and agitated beyond example. Under theſe circumſtances they feel it their painful duty to contradict the jurors of Lancaſhire, and to pronounce on the bills accordingly."

In diſcuſſing the proceedings of the meeting, Mr. Phillpotts ſtates the caſe thus:—

"The meaſure to be defended is this—the pronouncing that there is a *primâ facie* caſe againſt the magiſtrates and military employed at Mancheſter, and that it is neceſſary for county meetings to found on this caſe the demand of an in-

veſtigation. Here are two points to be made good in order to juſtify the proceedings of Thurſday; 1ſt, that there is ſuch a *primâ facie* caſe as is aſſerted; 2nd, that it is right to declare that there is, and, in conſequence, to demand an inveſtigation.

"Now into the firſt queſtion it is not my intention to enter, further than to remind the gentlemen who have moved the meaſure, to what point our knowledge of the ſtate of the caſe, from admitted facts of an authoritative character, really extends. It is this; that ſeveral perſons at the head of the meeting at Mancheſter were apprehended, and detained for high treaſon, of which that meeting was the alleged overt act; that after their detention for ſeveral days, the charge of high treaſon was given up, and the parties were held to bail for a conſpiracy to overturn the Government, and alter the laws of the land by force; that bills of indictment were preferred againſt certain perſons concerned in diſperſing the meeting by force; the conſequence of which force was the loſs of ſeveral lives—and that theſe bills were thrown out. This, I ſay, is the amount of all that is known from admitted facts of an authoritative character; and if it were neceſſary to come to any concluſion on the ſubject, (which I apprehend that it is not,) I ſhould contend that the fair preſumption, as far as it goes, is againſt the legality and the peaceableneſs of the meeting in queſtion; for there can be no doubt, that if the meeting was legally held, and peaceably conducted, all who were engaged in diſperſing it by force would be guilty of murder, if the conſequence of that force was the loſs of lives.

"But it is alleged in one of the Reſolutions that 'nothing has appeared which juſtifies the conduct of the magiſtrates and the yeomanry;' and it is an obſervation which we hear continually from well meaning perſons that it is ſtrange that no attempts ſhould be made by them to diſprove charges which are reſounded from one end of the kingdom to the other. Has it never occurred to any of theſe good people

that a proſecution is now in progreſs which muſt ſhow whether there be a juſtification or not?* Will they take the trouble of reflecting whether it may not be prudent for theſe parties, in reſpect to themſelves, to reſerve the publication of their caſe till it ſhall be made known by the proceedings in the Court of Law? And even if it be not thus prudent in reſpect of themſelves, at leaſt that it may be of high importance to the due courſe of juſtice in reſpect to others? Are they to be driven by clamour to make public the evidence which is to paſs on the trial of the alleged conſpirators, and ſo to defeat all reaſonable probability of their conviction? The monſtrous and palpable injuſtice of ſuch a demand would make it incredible that ſo large a portion of the public ſhould ſhow it any favour, if experience had not repeatedly proved that no abſurdity is too groſs for the minds of the people, when duly heated to admit it. The very forbearance from all publication may be, and apparently is, the bounden, but certainly not the pleaſing duty of theſe victims of popular deluſion; and the rigid manner in which it is diſcharged by them may probably be found hereafter to merit the gratitude of every true friend of his country."

Having thus diſpoſed of the firſt of his poſitions, Mr. Phillpotts proceeds:—

"The next conſideration is, whether, ſuppoſing ſuch a caſe to exiſt, it is proper to declare that it exiſts; and this involves one of the moſt ſerious queſtions that can be put

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* Hunt and his aſſociates were tried at York at the Spring Aſſizes in 1820. The trial laſted ten days, and ended in the conviction of nine of their number for holding an unlawful meeting and exciting diſcontent. On the 15th of May following, Hunt was ſentenced to two years and ſix months' impriſonment, and the reſt to one year's impriſonment.

before Engliſhmen. It is in fact no leſs than this: whether it is right for popular meetings to announce in this caſe their judgment on the apparent merits of a queſtion which is in the courſe of judicial inveſtigation. On this ſubject ſo much has been better ſaid by others, and, in truth, ſo much muſt occur to every plain underſtanding, that I ſhall have no occaſion to dwell long upon it. Gentlemen, I will not go the whole length of aſſerting that it never can be right thus to anticipate the regular courſe of law; for on political ſubjects nothing univerſal can be rationally affirmed; the beſt and moſt certain principle muſt admit of modifications and exceptions; and prudence alone can decide (an enlightened and genuine prudence) when the occaſion for theſe exceptions and modifications has actually ariſen. But thus much I think will readily be granted to me, that nothing ſhort of a great and unequivocal good to be obtained, or a ſore and very preſſing grievance to be removed can juſtify any moderately prudent (I might ſay any moderately imprudent) perſons in wiſhing to interfere with the proceſs of law. A manifeſt and moſt ſerious evil is ſure to be incurred; the benefit ſought, therefore, ought to be not only very great, but very certain. The proof of this reſts altogether upon thoſe who propoſe the experiment. I have attended to all the arguments reported to have been advanced at our county meeting, and muſt frankly confeſs that I have riſen from the inquiry more confirmed than before of the extreme unfitneſs of the proceedings of that meeting."

Then follows an examination of the arguments used at the meeting, which offers little intereſt at the preſent time. If the letter had ended here, it would have been well. Though it might have added little to the reputation of Mr. Phillpotts as an accurate and profound thinker, and muſt aſſuredly have created ſuſpicions of his motives, yet it would not have

marked him out as a man eager to give battle to a political adverſary with weapons of a more queſtionable kind than mere playful ſatire. Mr. Lambton (afterwards Earl of Durham) had attended the meeting, and after the Reſolutions had been propoſed and ſeconded, it was natural enough, as one of the repreſentatives of the county, that he ſhould ſay a few words. However much people may differ from the political ſentiments of this gentleman, there certainly is nothing in his ſpeech to juſtify the language applied to it by Mr. Phillpotts:—"Nothing ſhort of running the full career of raſhneſs and peril could glut his morbid avidity of diſtinction." And then he goes on to ſay, that, if a verdict of a jury ſhall pronounce Hunt and his comrades guilty of the charge laid againſt them, "ſlander of the moſt miſchievous and gigantic kind will have been uttered by him, without rational motive, or intelligible excuſe. I envy him not his feelings on ſuch a conſummation; ſtill leſs do I envy him, if he ſhall then have no feelings at all." He then charges Mr. Lambton with "playing with the torch of ſedition, and wantonly toſſing it about amidſt the combuſtible matter which ſurrounds him," and concludes by ſaying,—

"Theſe are not times when the diſtempered ſpirit of the multitude ſhould be ſtill further inflamed by men who ought to exert the influence belonging to their ſtation in allaying heats and pacifying diſcontents."

All this may be very forcible, but it is ſcarcely the way in which a clergyman ſhould addreſs a gentleman of high deſcent and unblemiſhed life, whoſe only

offence upon this occaſion ſeems to have been that he had the misfortune of differing from Mr. Phillpotts on an important queſtion which was juſt then occupying the thoughts of the entire country. Such a diſplay of party feeling could only have the effect of defeating its own end. And ſo it turned out; for, inſtead of helping the cauſe which it was written to ſerve, this letter created a prejudice againſt the ſubſequent writings of Mr. Phillpotts, which has outlived the memory of this particular event.

It is true that he explained much of this aſperity in his anſwer to the article in the *Edinburgh Review*, which next comes under conſideration; but the misfortune was that many people read his letter who never ſaw the explanation. Thus, then, friends were alarmed, enemies were incenſed, and thoſe who were neither friends nor enemies felt that a great miſtake had been made, and that a ſpirit of rancour had been excited by this pamphlet which it might take a lifetime of conciliation to allay.

Many anonymous anſwers quickly iſſued from the preſs. Amongſt theſe is to be reckoned an article in the *Edinburgh Review* (No. 64), entitled, "Neceſſity of Parliamentary Enquiry," which, while profeſſing to be a review of the pamphlet of Mr. Phillpotts, was in reality directed againſt himſelf. The author of it was commonly ſuppoſed to be one of the moſt diſtinguiſhed of the early contributors to that journal, who, adding the rank of a ſenator to the reputation of an orator, was an adverſary that few

men would dare to deſpiſe. This article was widely read, and a cheap edition of it (price twopence) was rapidly diſtributed throughout the county of Durham.

Theſe circumſtances induced Mr. Phillpotts to publiſh a ſtatement in reply to it,* which appeared in January, 1820. And this, it muſt be confeſſed, is a moſt triumphant expoſure both of the ſhallowneſs of the reviewer's arguments and the feelings which had guided him in writing. It was neceſſary promptly to cruſh ſo powerful an antagoniſt as Mr. Phillpotts had ſhown himſelf to be, and therefore the veteran reviewer, armed with malice and miſrepreſentation, to which the power of his cultivated mind lent a double force, ſtepped forth from the ranks to give him battle. But if Mr. Phillpotts was to blame for the tone of his pamphlet, the reviewer ſoon ſhowed that he was incapable of teaching him better manners. That his labours ſhould have met with ſuch a recognition was in reality an indication of the value attached to them by his opponents. A diſtinguiſhed public character would not for nothing have remitted his exertions in a higher ſphere to reſume thoſe of a review, while the publication of his article in a cheaper form ſhowed the anxiety of his party to make the moſt of his ſervices.

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* "Remarks on an Article in the *Edinburgh Review* (No. 64) entitled, 'Neceſſity of Parliamentary Enquiry,' by the Rev. H. Phillpotts, M.A., Author of a Letter to the Freeholders of Durham, which that Article profeſſes to review."

It is needleſs to go through this pamphlet in detail, ſince it is merely an expoſure of the reviewer's blunders, ſophiſtry, and malignity. One extract, however, may be commended to the attention of "liberals" of every ſhade:—

"To ſay the truth, this is not the firſt time that I have had occaſion to admire the exquiſite felicity with which the lovers of free diſcuſſion and manly inquiry can adjuſt their graduated ſcale of crimes and puniſhments. All who profeſs the ſame 'liberal ſentiments' as themſelves, are at once inveſted with an undefined and undefinable privilege. Theſe 'chartered libertines' may ſay what they pleaſe, abuſe whom they pleaſe and how they pleaſe—they may run to the extreme verge of legal endurance, and even occaſionally overſtep into the confines of ſlander or ſedition. At the worſt it is only a generous indiſcretion—while the firſt perſon who aſks them, why do ye ſo? has the whole fraternity let looſe upon him, unleſs he cuts and ſquares his diction to the nice pattern which ſuits their ſelf-complacency."

The whole of this reply is well written, and if the reviewer is ſomewhat ſeverely handled, he richly deſerves it. Mr. Phillpotts does not affect to deſpiſe his adverſary; but, while paying a becoming tribute to his talents, he fails not to deplore the manifeſtation of "the coarſeſt admixture of prejudice and paſſion, perverted by party ſpirit, and abuſed to the worſt purpoſes of wanton ſophiſtication, or wilful injuſtice."

CHAPTER V.

Further Preferment of Mr. Phillpotts. His Competence, and proper uſe of it. The Living of Stanhope. Held by Three Prelates in ſucceſſion. Mr. Phillpotts reſigns his Stall in Durham Cathedral. A Deſcription of Stanhope. Mr. Phillpotts builds a Rectory-houſe. Reminiſcences of his Incumbency. Diligence in Parochial Duties. An active Magiſtrate. His Legal Abilities.

N the year following the publication of Mr. Phillpotts' letter to the freeholders of the county of Durham (1820), he received a ſplendid mark of his biſhop's regard in the ſhape of a large living. He was already well provided for, but his new benefice eclipſed all his other preferment. In worldly circumſtances, then, he was fortunate enough, and at no time of his life could he ever have known what it was to be a needy man. A rare piece of good fortune for one of his profeſſion, when it is remembered that he inherited no patrimonial eſtates, and was not the repreſentative of an hiſtorical name. Many of our great men

"Have been by *need* to full perfection brought;"

but if Mr. Phillpotts never paſſed through this bitter ordeal, he at leaſt ſhowed himſelf capable of braving

the more ſeductive accompaniments of affluence. A canonry was no Capua to him; and if honours and preferment were ſhowered upon him, they were not uſed for mean and ſelfiſh ends.

On the 20th of September, 1820, he was collated to the Rectory of Stanhope—one of the moſt valuable, if not *the* moſt valuable living in England. This princely benefice had been held by three prelates in ſucceſſion, who were the immediate predeceſſors of Mr. Phillpotts—Dr. Butler, Biſhop of Briſtol, Dr. Keene, Biſhop of Cheſter, and Dr. Thurlow, Biſhop of Lincoln. If precedent, therefore, went for anything, it was not hard to predict what his ultimate fate might be. On being preſented to this living he reſigned his ſtall in Durham Cathedral.

Stanhope, the ſcene of Mr. Phillpotts' future paſtoral labours, is a town of no great pretenſions on the north bank of the Wear, and is chiefly inhabited by miners. It was raiſed to the dignity of a market town in 1421. The church is a plain and ancient fabric, ſtanding on riſing ground to the north of the town. At no great diſtance ſtands an ancient manor-houſe, the ſeat of the old hiſtorical family of Featherſtonhaugh, the laſt of whom was killed at the battle of Hochſtadt. In the woods of Stanhope Park the prince-biſhops of Durham uſed to hold their great foreſt hunts, the tenants being obliged to furniſh neceſſaries for them and their ſuite, beſides maintaining their dogs and huntſmen.

The population of Stanhope, and other circum-

ſtances of intereſt connected with the pariſh, will come under conſideration further on.

One of Mr. Phillpotts' earlieſt acts after becoming rector was to commence the erection of a parſonage-houſe, as well as a reſidence for the curate. It ſhould be recorded to his credit that he undertook this entirely at his own private expenſe, without burdening the living with any charge. The ſum expended was about 12,000*l.* The houſe is very large, and occupied a conſiderable time in building. During this period Mr. Phillpotts reſided in Durham.

His incumbency is well remembered, and he appears in the main to have conciliated the regard of the pariſhioners. Shortly after his elevation to the Epiſcopal bench an old woman remarked to his ſucceſſor that he had ſent two of her ſons to heaven—a ſtrong expreſſion, not to be repeated to ſcorners, but intimating, as it was underſtood, that he had diligently and faithfully attended them till their death, and had been the inſtrument in God's hands of ſaving their ſouls. This anecdote is enough to ſhow that neither his cathedral duties at Cheſter, nor the theological and political ſtudies in which he was now ſo deeply immerſed, diverted him from the paramount obligation of paſtoral vigilance. The petition of the inhabitants of Stanhope againſt his holding that living *in commendam* with the See of Exeter will be examined in its proper place.

At this time Mr. Phillpotts was gratifying a taſte for legal matters, which had early diſplayed itſelf, by diſcharging with great regularity the duties of a county

magiſtrate. His aptitude for this kind of buſineſs was very remarkable. He became poſſeſſed by intuition of that which to others was matter of laborious ſtudy; and the magiſtrate's clerk uſed to aver that Mr. Phillpotts could always tell what would be in an Act of Parliament before it came out.

CHAPTER VI.

Return of Queen Caroline to England, and the Proceedings conſequent upon it. Gave occaſion to a Pamphlet by Mr. Phillpotts. Injudicious Conduct of the Miniſtry. Popular Feeling excited againſt them. Meetings held in various parts of the Country. All Ranks took part in them. The Durham Meeting. The Speakers. The Addreſs. Reference in it to Spirit of Diſcontent exiſting in the Country. Impropriety of this. A Counter-Addreſs agreed upon by the Clergy. Their Juſtification for taking this ſtep. Mr. Phillpotts the Propoſer of it. Hoſtile Feeling manifeſted againſt the Clergy. Not confined to the Lower Orders. The Northumberland Meeting at Morpeth. Lord Grey's Speech. His Remarks upon the Clergy of Durham. Letter from Mr. Phillpotts to his Lordſhip. The Peril of coming forward. The Clergy defended againſt the Imputation of Underhand Conduct. The Treatment of Mr. Liddell at the Meeting. Remarks on the Preſs. Improper Uſe of the expreſſion, "The People," expoſed. Diſingenuous Arts of "Liberal" Stateſmen. Deſcription of Lord Grey's Conduct by Mr. Phillpotts. His Behaviour in Parliament, in reference to the Queen's Guilt, compared with his Statements at the Durham Meeting. What his Conduct ought to have been had he believed in the Queen's perfect Innocence. An Injudicious Statement in his Speech. Severe Remarks upon it by Mr. Phillpotts. An unhappy Quotation of Holy Scripture by his Lordſhip. Impreſſion created by the Letter of Mr. Phillpotts. General Tone of it. Not to be judged by the Standard of the Preſent Day. Conſultation of Whig Lawyers to aſcertain if it was Libellous. Attack upon the Clergy by the Durham Chronicle. *Action for Libel againſt the Publiſher. Mr. Brougham's Defence. Its Character. Conviction of the Defendant.*

MR. PHILLPOTTS had ſcarcely entered upon the enjoyment of his new benefice, when the unexpected return of Queen Caroline to England raiſed a ſtorm of excitement throughout the country, which ſoon involved

even the moſt diſtant towns and villages in its reſiſtleſs courſe. It is, happily, no part of this hiſtory to chronicle the misfortunes or crimes of this ill-fated princeſs, or to dwell upon perſecutions which terminated not even with death, but purſued her lifeleſs body to the very confines of the land. It is neceſſary, however, to allude to theſe diſtreſſing events, ſince they gave occaſion to a pamphlet by Mr. Phillpotts, which created great ſenſation at the time, and which merits ſomething more than a paſſing notice.

The great perſonal unpopularity of the King, and the unjuſtifiable ſyſtem of eſpionage which had been ſo ſucceſsfully practiſed upon the Queen, combined to excite a ſympathy in her favour, and to cauſe people, if not actually to forget, at leaſt to extenuate her faults. The attempt of the Miniſtry, therefore, to proceed againſt her Majeſty by a Bill of Pains and Penalties, which, if carried to its legitimate end, muſt have coſt her her life, was about as unpopular and inconſiderate a ſtep as could poſſibly have been taken. In any event it muſt terminate in failure. If the bill ſhould paſs into law, the penalty was death, and no Government would have dared to carry it out, in the face of the popular excitement which prevailed. If it was abandoned—as it ultimately was—the Queen's triumph was complete. The effect of this was that an almoſt univerſal feeling of indignation was excited againſt the conduct of the Miniſters. Thus, then, while the Queen was the idol of the Londoners, and was followed about everywhere by a ſhouting and

triumphant mob, large and influential meetings were held in all parts of the country, and Reſolutions were paſſed condemnatory of the policy of the Government. Nor were theſe meetings by any means confined to the lower orders, and thoſe agitators who find an opportunity for making political capital out of the troubles of the times. Men of all ranks united in reprobating the policy of a Government which could ſeek to condemn a Royal lady to degradation without a parallel, on evidence which would not have been received againſt the moſt abandoned criminal in the land.

The gentry of the county of Durham were not backward in declaring their ſentiments at this moſt critical and painful time. On Wedneſday, December the 12th, 1820, a meeting of the freeholders of the county was held in the County Court, Durham, to take into conſideration the meaſures that had been purſued for the degradation of the Queen, and the propriety of preſenting petitions to both Houſes of Parliament, praying that they would take ſuch ſteps as might effectually prevent the recurrence of proceedings alike unconſtitutional in their nature, and diſguſting and pernicious in their tendency. The High Sheriff of the county, the Hon. W. K. Barrington, took the chair; and the numerous attendance of the principal inhabitants of the county, as well as the rank and character of thoſe who took a prominent part in the proceedings of the day, ſtamped the meeting as, probably, one of the moſt important ever held in Durham. John George Lambton, Eſq., M.P., pro-

poſed, and Samuel Moulton Barnett, Eſq., ſeconded, certain Reſolutions, which were embodied in an Addreſs and preſented to the King. The other ſpeakers were Mr. Liddell (who expreſſed his diſapprobation at the proceedings of the meeting), Earl Grey, Dr. Fenwick, Mr. Shafto, and Mr. Powlett, M.P.

Among the topics embraced in theſe Reſolutions there was one which was miſchievous and dangerous, and was evidently inſerted for party purpoſes:—"We humbly venture to ſtate to your Majeſty," the petitioners ſay, "that a general ſpirit of diſcontent has ariſen, which, if not corrected by timely remedies, muſt produce the moſt diſaſtrous conſequences to the power and tranquillity of this great empire." Now, however true this may have been in fact, it had nothing to do with the requiſition, in purſuance of which the meeting had been called. Its inſertion, then, was moſt ſignificant, and could only be regarded as an intelligible hint to the King to change his adviſers. The unfairneſs of ſuch a proceeding is manifeſt. It was, in point of fact, to uſe the Queen's misfortunes for the purpoſe of ejecting the Miniſtry. Under theſe circumſtances ſome of the clergy of Durham aſſembled at the Archdeacon's, and determined upon laying before the King a Counter-Addreſs, declaring their own ſentiments, and pointing out what they conceived to be the real dangers of the times. That they were juſtified in taking this ſtep will be ſeen when it is remembered that the Reſolutions and Addreſs of the Durham meeting went forth to the world under the

name of the nobility, gentry, *clergy*, and freeholders of the county. As long as the buſineſs of the meeting was conducted in conformity with the terms of the requiſition, they would have had nothing to complain of; and, even if they had not attended, they would have been bound by the Reſolutions which were agreed upon: but when topics were introduced of which no notice had been given, and of which they ſtrongly diſapproved, no one can blame them for coming forward and ſtating the grounds of their diſapproval. Mr. Phillpotts took an active ſhare in the preparation of the Addreſs of the Clergy, and it fell to his lot to propoſe it to the meeting.

As ſoon as it became known that the Addreſs had been preſented, a ſtrong feeling of hoſtility was manifeſted againſt the clergy. They were charged with taking the part of Government againſt the Queen, for mercenary motives, and were aſſailed, both in public and private, with epithets of hatred and ſcorn. Upon no one did the ſtorm fall heavier than on Mr. Phillpotts. His conſtitutional energy, and the great and varied talents which he was able to bring to bear on every queſtion which he took in hand, ſingled him out as a favourite object of attack.

Nor were the rancorous feelings againſt the clergy by any means confined to the lower orders. An earl came forward to denounce them under the following circumſtances. At the cloſe of December, 1820, a requiſition was preſented to the High Sheriff of Northumberland, Wm. Clark, Eſq., deſiring that a

county meeting might be convened to take into conſideration the ſteps propoſed for the degradation of the Queen. Among the ſignatures appear the names of Lords Tankerville, Grey, and Oſſulſton, together with ſome of the leading gentry of the county. The high ſheriff courteouſly but firmly refuſed to call the meeting. In conſequence of this refuſal a circular was ſent round (Dec. 26), calling upon the independent freeholders and inhabitants of the county to attend a meeting to be held in the Town Hall at Morpeth on Wedneſday, January the 10th, at twelve o'clock, to conſider the ſteps neceſſary to be taken in conſequence of the extraordinary conduct of the ſheriff, and for other purpoſes ſpecified in the requiſition. This was ſigned—

GREY,
JOHN E. SWINBURNE,
CHARLES MONCK,
T. W. BEAUMONT,
C. W. BIGGE,
JOHN GEORGE LAMBTON,
GEORGE BAKER.

Notwithſtanding the exceeding inclemency of the weather the meeting was moſt numerouſly and reſpectably attended. It was feared that Lord Grey would not be able to be preſent, as he had lately been ſuffering from a ſevere attack of illneſs. At twelve o'clock the gates of the Hall were opened, and the preſſure to obtain admiſſion was exceſſive. Even the noble earl and the requiſitioniſts had very great difficulty in procuring their uſual ſeats upon the bench. The Hall

was denſely filled, and the heat very ſoon became oppreſſive.

Sir John Swinburne having been called to the chair, the proceedings commenced. An Addreſs to the King and ſome Reſolutions were agreed to, with only one or two diſſentient voices, the moſt remarkable being that of Mr. Orde, who came forward and boldly ſtated (though with much interruption) the reaſons why he could not concur in the proceedings of the meeting. Upon this occaſion Lord Grey was the chief ſpeaker, and his ſpeech was long remembered as one of the moſt animated which he ever delivered. After touching upon the buſineſs of the day, he proceeded to enlarge, with great warmth and energy, upon the conduct of the clergy of Durham in preſenting their Addreſs to the King. This produced (Jan. 19) a letter from Mr. Phillpotts to the noble Lord, "on certain charges advanced by his Lordſhip, at the late county meeting in Northumberland, againſt the clergy of the County of Durham." He conceived that the ſpeech of Lord Grey was a challenge to the clergy, who had joined in the Addreſs to the King, to avow before the world the principles which dictated it, and the grounds on which it was to be juſtified. Mr. Phillpotts appears not to have been inſenſible to the perilous nature of the enterpriſe in which he was engaging:—

"I am not ignorant," he ſays, "that I may poſſibly draw upon myſelf all the fury of all your adherents, from the political reviewer, who ſcarcely any longer pretends to regard truth and juſtice as qualifications for his calling, down to

the miſerable mercenary, who eats the bread of proſtitution, and panders to the low appetites of thoſe who cannot, or who dare not, cater for their own malignity."

He then proceeds to examine that portion of Lord Grey's ſpeech which related eſpecially to the clergy. His lordſhip had imputed to them underhand conduct, and ſaid that, inſtead of flying into holes and corners and ſecret conclaves, they ought to meet thoſe from whom they differ face to face. Mr. Phillpotts well remarks upon this:—

"I will not inſult your Lordſhip by ſuppoſing that you made this demand for any other purpoſe than to catch the momentary plaudits of your audience. I only admire the perfect gravity with which you make it, and talk of free diſcuſſion at Durham county meetings as if you were really in earneſt. And yet, my Lord, well as you act the part, it is one which by no means becomes you. This petty artifice of daring an adverſary to combat, where you know he cannot meet you on equal terms, ought to be reſerved for thoſe whoſe ambition can look no higher than to a ſucceſsful diſplay on the huſtings. You, my Lord, were formed by nature and by diſcipline for far better things."

It is worthy of remark, that Mr. Liddell, a gentleman of high family and character, actually did come forward and addreſs the Durham meeting, with a view of ſhowing the impropriety of its proceedings; but he was with the utmoſt difficulty enabled to proceed amidſt a volley of hiſſes, and cries of "ſhame," and "turn him out." Whether this ſtate of things would have been mended if a clergyman had happened to be the ſpeaker it is eaſy enough to gueſs.

Amongſt other ſtatements calculated to excite popular feeling againſt the clergy, Lord Grey repreſented them as attributing all the exiſting diſcontent to the licentiouſneſs of the preſs, and as being advocates for encroachments on the liberties of the country. To this Mr. Phillpotts replies :—

"My Lord, we have ſaid no more againſt the licentiouſneſs of the preſs than Mr. Brougham, and others of your Lordſhip's political friends have often ſaid, and unhappily have often proved in their place in Parliament. Inſtead of attributing all to the licentiouſneſs of the preſs, we expreſſly attributed 'much to the raſhneſs of headſtrong declaimers, heedleſs or ignorant of the tendency of their own folly'—much to 'the apathy of wiſer and better men'—much to 'every evil principle', which can ſhoot forth in rank luxuriance under the general ſupineneſs of the good, and the reſtleſs activity of the wicked. In ſhort, the licentiouſneſs of the preſs is only one (a moſt powerful and moſt appalling one indeed, but ſtill only one) of ſeveral cauſes to which we aſcribed, what we ſee as plainly, and perhaps deplore as ſincerely, as your Lordſhip does,—a too prevailing ſpirit of diſcontent; we might add, an impatience of all lawful control, a thirſt for untried, undefined, and undefinable change."

Mr. Phillpotts next defends the Addreſs of the Clergy againſt the aſſertion of Lord Grey, that it contains moſt unjuſt and unfounded charges againſt "the people," a ſomewhat ill-defined form of expreſſion which finds great favour with "liberal" ſtateſmen on the huſtings, and at every criſis of their fate :—

"May I entreat your Lordſhip to produce the paſſages on which you found theſe aſſertions? Is it the following, 'Widely as the contagious frenzy has ſpread, we cannot doubt the ſoundneſs of the main body of this great nation.'

Who, my Lord, in your Lordſhip's contemplation, are the people? Not, it ſeems, 'the main body of the nation'—but ſome portions of it—thoſe particular portions which the Durham clergy have made the ſubject of their accuſation—in other words, evil-minded men, who revile and miſrepreſent all the meaſures of Government, and thoſe who are ſeduced by them to caſt off their allegiance—the deluders and the deluded—the vain diſſeminators of miſchievous fooleries at public meetings, and thoſe whom ſuch weak ſophiſtry can miſlead—the teachers and the diſciples in the ſchools of blaſphemy and ſedition—the abettors and the accomplices in ſecret conſpiracies and open rebellion—the Carliles and Woolers, the Thiſtlewoods and Brandreths—theſe are 'the people'—theſe are they of whom your Lordſhip proclaims yourſelf the indignant advocate, theſe are they from whoſe injured innocence you 'repel the calumnies of us addreſſers againſt your countrymen.'"

But the part of the Addreſs of the Clergy which gave the greateſt offence to Lord Grey, and which he ſeemed to underſtand as applying ſolely to himſelf, was that which ſtated, "We have ſeen, with feelings which we forbear to expreſs, men of exalted rank and diſtinguiſhed talents, foſtering and ſtimulating the diſcontents of the multitude, availing themſelves of deluſions which they deſpiſe, and of vices which they reprobate, to forward the miſerable objects of party ambition." With the utmoſt candour Mr. Phillpotts avows, that, when he ſubſcribed the addreſs, he *did* conſider his lordſhip to be one of thoſe to whom the words were juſtly applicable; and after this manly declaration, he proceeds to juſtify the opinion which he had formed. This was founded chiefly on the difference obſervable

in Lord Grey's conduct and ſtatements in relation to the Queen's guilt, when ſpeaking in Parliament, and before the Durham county meeting. The majority who attended that meeting were fully perſuaded of the Queen's perfect innocence, and had aſſembled with the intention of vindicating it.

"Now that you, my Lord," ſays Mr. Phillpotts, "participated in that conviction, I venture to think impoſſible. I do ſo, not from the apparent force of the evidence adduced, (reſpecting which it is no part of my purpoſe to ſay anything,) but from your Lordſhip's ſpeech in the Houſe of Lords on the motion for the ſecond reading of the Bill of Degradation. I there ſee that in expreſs terms you admit and lament that 'impropriety of conduct,' that 'matters of great ſuſpicion' had been eſtabliſhed; but 'they did not amount to the fair concluſion of guilt, which alone could juſtify the verdict of guilty;' that in the outſet your prejudices and feelings were unfavourable to the Queen; that you did think it poſſible that a caſe would be made out, which would compel you to vote for the bill; but as it then ſtood, the only vote you could reconcile to your honour and judgment was, with a profound ſenſe of duty, to lay your hand upon your heart and ſay, not guilty."

Mr. Phillpotts then goes on to ſhow what Lord Grey's conduct would have been if he had really believed that the Queen was innocent:—

"And while I form my concluſion from what you did ſay, I find it moſt materially ſtrengthened by what you did not ſay. You did not ſay, my Lord, that you thought her innocent. And yet, if you had indeed thought ſo, your feelings as a man muſt have impelled you to give to her the full benefit of your favourable opinion. You could not, while you heard an oppoſite judgment ſtrongly expreſſed by

many even of thoſe who voted againſt the bill, as well as by the majority who ſupported it—you could not have forborne to declare yourſelf, in the broadeſt and plaineſt terms, in favour of an unfortunate lady—that lady a Queen—that Queen one whom, fourteen years before, when Miniſter of the Crown, you had felt it conſiſtent with your duty to treat as, I am quite ſure, your Lordſhip heartily wiſhes ſhe never had been treated."

Having thus guarded his vote in the Houſe of Lords in ſuch a way as effectually to exclude him from the number of thoſe who believed in the Queen's innocence, Lord Grey came before the meeting at Durham, and liſtened without remark to ſpeakers who affirmed that ſhe was guiltleſs, joined in reſolutions which were founded on this ſuppoſition, and aſſerted that "the witneſſes againſt the Queen had been proved to be totally unworthy of credit," and that "the evidence of the only witneſſes brought forward in ſupport of the charge had been moſt completely overthrown by the teſtimony of unimpeachable witneſſes on the part of her Majeſty."

Mr. Phillpotts thus ſums up the caſe againſt his lordſhip:—

"My Lord, when I put theſe things together, and at the ſame time bear in mind the irrelevant matter ſo unwarrantably introduced into your proceedings—the vehement condemnation of all the policy of his Majeſty's Government, both at home and abroad, and, laſtly, the threat of a ſpeedy revolution if that policy is not changed—I have no difficulty in ſtating my reaſons for conſidering your Lordſhip as one of thoſe to whom the words of which you complain are juſtly applicable. In ſaying this, I add, with perfect ſincerity, that

I believe you to have deceived yourſelf—to have been influenced by views and actuated by motives which you would be the firſt to renounce, if you thought them inconſiſtent with the welfare of your country."

A very injudicious ſentence in Lord Grey's ſpeech, which was evidently intended as a ſop to the extreme Reformers of the day, gives Mr. Phillpotts an opportunity, which he was not likely to miſs, of deſcending upon him with terrible force :—

"You ſay that, 'if the adminiſtration of affairs were offered to you to-morrow, you would not accept it, without being enabled to effect a complete change in the preſent ſyſtem of government.' This, my Lord, is ſpeaking plainly. In truth, an ardent and impetuous politician, like your Lordſhip, who has been for nearly forty years engaged in vehement oppoſition, can hardly fail to have diſqualified himſelf for office. In the courſe of his long and unſparing hoſtility to almoſt every meaſure of Miniſters, it is ſcarcely to be hoped that he ſhould not have committed himſelf by pledges which he cannot, when in power, abandon without diſhonour, nor redeem without ruin to his country. Your Lordſhip has once been tried, for a very ſhort period, as a Miniſter ;* and, whether juſtly or otherwiſe, many of your old ſupporters charged you then with incurring the former part of this alternative : if the trial be repeated, we may all have occaſion to deplore that you now prefer the latter."

But Lord Grey, having "exhauſted," as Mr. Phillpotts ſays, "the copious ſtores of his own eloquence

* On the acceſſion to office of the Fox and Grenville Miniſtry, in 1806, Lord Grey was appointed Firſt Lord of the Admiralty, with a ſeat in the Cabinet. On the death of Fox he ſucceeded to the vacant poſt of Secretary for Foreign Affairs; but the Miniſtry was ſhortly afterwards diſſolved.

in railing at the clergy," has recourſe to a quotation from holy Scripture to juſtify his arguments, and give point to his ſarcaſm. He deſcribes the clergy who ſigned the Addreſs in the words of David—"Their communing is not for peace, but they imagine deceitful words againſt thoſe that are quiet in the land." After a well-deſerved rebuke for this trifling with ſacred words, Mr. Phillpotts exclaims:—

"Quiet in the land! Why, your Lordſhip and your friends are now the prime agitators in theſe northern parts. Be the ſpirit of modern Whiggiſm what it may—a ſpirit of health, or one of a very different deſcription—be its intents wicked or charitable—if it is in any degree an honeſt ſpirit, it will at leaſt not aſk us to call it a quiet one. A revolution muſt have already begun, and have begun in the underſtanding and reaſon of Engliſhmen, before we can bring ourſelves to acknowledge the peaceful politics of Mr. Lambton, or the dove-like demeanour of Earl Grey."

It has been ſaid already that this letter created a profound impreſſion, and it deſerved to do ſo. Mr. Phillpotts had matched himſelf againſt one of the acuteſt intellects in the land, the impetuous eloquence of whoſe oratory had earned for him the title of the Hotſpur of his party, and had ſucceeded in ſhowing that he could command powers of logic and ſatire which it would not be well for an adverſary, however gifted, lightly to provoke. His pamphlet was ſtrictly defenſive, and, although written under no ordinary provocation, was not remarkable for any needleſs aſperity either of ſentiment or of language. But ſtill it is a queſtion whether it would not have been wiſer, as

aſſuredly it would have been more praiſeworthy, for a clergyman to withdraw himſelf altogether from the arena of party ſtrife, and refrain from writing a letter which could ſcarcely be viewed otherwiſe than as a political expedient. The temptation, no doubt, was ſtrong. Party ſpirit was running high. The ſpeech of Lord Grey was ſingularly irritating, and, if unanſwered, was likely to do all the miſchief that his great and honoured name enabled it to do. The Durham dignitaries, too, had all along exhibited an unhappy propenſity to meddle with politics. Mr. Phillpotts, therefore, muſt be judged with due regard to the circumſtances of the times and the habits of thoſe with whom he was aſſociated. The memory of his pamphlet did not ſoon paſs away; and if it ſhielded the clergy from the unmerited attack of Lord Grey, it alſo expoſed them to the hatred of adverſaries. This hoſtility was not long in bearing fruit, for ſoon after its publication a conſultation of eminent Whig lawyers was held, at the expreſs inſtance of ſome of the moſt zealous aſſertors of the freedom of the preſs, for the purpoſe of detecting ſomething libellous in it, but the attempt was abandoned.

But matters did not reſt here, for on Auguſt the 18th, 1821, an article appeared in the *Durham Chronicle*, charging the clergy, and eſpecially thoſe of the cathedral, with "brutal enmity" to the Queen, becauſe they had not cauſed the bells to be tolled at her death, and aſſerting that they clung to temporal power, and loſt, in their officiouſneſs in political matters, even the

ſemblance of the character of miniſters of religion. This led to an action for libel againſt the publiſher of the paper, John Ambroſe Williams, who was tried at Durham, Auguſt the 6th, 1822, before Mr. Baron Wood and a ſpecial jury. Mr. Brougham was retained for the defence, and made a ſpeech the vehemence of which may well cauſe one to marvel at the latitude accorded to popular orators in troublous times. Mr. Phillpotts himſelf thus deſcribes* it:—

"Though delivered in ſupport of a defence, it contains nothing at all apologetical, and not much that can be repreſented as even conciliatory. It is criminative, contemptuous, and defying. The tone throughout is that of proud ſuperiority and command, and its general ſtrain and character may be compendiouſly deſcribed by the ſingle word terrible."

It was, however, without avail, for Williams was found guilty of a libel on the clergy of the cathedral at Durham. Dr. Phillpotts (for he had now taken his doctor's degree) evinced great intereſt in the trial, and was preſent during the whole time it laſted. He was not, indeed, as was commonly ſuppoſed, one of the promoters of the ſuit, for Mr. Scarlett, the counſel for the proſecution, diſtinctly aſſerted that the Biſhop of the dioceſe was the proſecutor. In truth the libelled clergy knew nothing of the proſecution till they were informed of it through the public prints.

Though the defendant expreſſed himſelf againſt

* "Letter to Francis Jeffrey, Eſq."

the clergy more coarſely than Lord Grey had done, yet the object of both was the ſame—to bring them into contempt. Thus, then, the verdict of a jury completed what the letter of Mr. Phillpotts had begun.

CHAPTER VII.

Further Attacks upon the Clergy of Durham. Peculiarly obnoxious to the Enemies of the Church. Article in the Edinburgh Review. *Dr. Phillpotts ſingled out by Name. Deſcription of the Article: Reaſons for a Reply. Letter by Dr. Phillpotts to Francis Jeffrey, Eſq., the reputed Editor. His Defence of the Doctrine of the Real Preſence. Expoſure of the hiſtorical Inaccuracy of the Reviewer. Improper uſe by him of the Caſe of Williams. Reference to Williams in a former Letter to Lord Grey denied by Dr. Phillpotts. Extreme Forbearance which he had ſhown towards him. Refutation of the Charge of not having cauſed the Bells to be tolled at the Queen's Death. The diſingenuous Way in which the Reviewer performed his Taſk. The Defendant's Libel compared with the Deſcription given of it by the Reviewer. Remarks on the Way in which the* Edinburgh Review *was conducted. Mr. Jeffrey's Reply. Nothing ſaid which affects the Merits of the Caſe. A ſtinging Reproof by Dr. Phillpotts. Offer of an Iriſh Biſhopric by Lord Liverpool declined. His Promiſe to the Biſhop of Durham.*

BUT the troubles of the Durham clergy were not deſtined ſo eaſily to ceaſe. The iſſue of the trial of Williams only ſtimulated their enemies to further acts of aggreſſion. Dr. Phillpotts deſcribes himſelf and his brethren* as "a body which ſeems to have earned in a peculiar degree the hoſtility of every enemy to our Eſtabliſhment." And this was true enough. They were decidedly unpopular. The *Edinburgh Review*

* "Letter to Francis Jeffrey, Eſq."

in particular had marked them out for vengeance, and in November, 1822, an article appeared headed, "Durham Caſe—Clerical Abuſes." Dr. Phillpotts was the only one of the clergy mentioned by name, and it is eaſy enough to ſee why this mark of diſtinction ſhould have been accorded to him. The article is deſcribed by him as evidently written "by ſome inferior hand, who, without the ſlighteſt pretenſion to the ſtrength of the ſerpent, can only exhibit the ſlime and the venom." This is a ſingularly happy deſcription; applicable, unfortunately for the credit of journaliſm, to other articles beſides that in the *Edinburgh Review*. After this ſtatement it is almoſt a pity that he ſhould have attempted any reply. There can be no pleaſure in hunting down a loathſome reptile through maſſes of filth. When you have caught it you can do nothing with it. It ſeemed, however, to Dr. Phillpotts that the extenſive circulation of the Review, and the inferences already drawn from the ſilence of the clergy, under charges moſt unceaſingly brought againſt them, demanded that ſome notice ſhould be taken of the attack. If any notice was to be taken, moſt people would agree that he was the man to take it. His anſwer aſſumed the form of a letter to the Editor of the *Edinburgh Review*, dated the 30th of December, 1822.*

* "A Letter to Francis Jeffrey, Eſq., the reputed Editor of the *Edinburgh Review*, on an Article entitled, 'Durham Caſe—Clerical Abuſes,' by the Rev. H. Phillpotts, D.D., Rector of Stanhope."

The reviewer had thought it needful to enter largely into what he took for theology. His blunders, however, are not to be regretted, as they afforded to Dr. Phillpotts an opportunity of expreſſing himſelf on the doctrine of the Real Preſence, which he declares to be "diſtinctly and unequivocally affirmed" in the Thirty-nine Articles. This is a valuable teſtimony, and none the leſs ſo from occurring in a place where one would ſo little expect to find it.

To ſhow that the hiſtorical knowledge of the reviewer was about on a level with his theological attainments, the following remarks of Dr. Phillpotts will ſuffice:—

"Can a writer expect to be anſwered who will ſeriouſly quote Biſhop Burnet for a recommendation and authority to the Epiſcopal bench of our days to live 'abſtracted from courts, from cabals, and from parties?'—ſcenes in which that good biſhop bore a buſier part than the moſt ſecular of our prelates for a century paſt, and where by his zealous ſupport of Whig principles he raiſed himſelf to that eminent ſtation, which, together with his numerous virtues, would enſure him, if now living, a full ſhare in the invectives of his preſent panegyriſt."

The miſerable equipment, however, of his aſſailant does not, in the Doctor's judgment, prohibit a reply; and he proceeds to expoſe "the meaneſt artifice, and the moſt daring falſehoods," which "are reſorted to without ſcruple or reſtraint," in the courſe of the review. After dealing with the attack on modern biſhops, which had been made by the reviewer, with ſpecial reference to a recent ſpeech by the Biſhop of

London, on the ſubject of the Queen's degradation, Dr. Phillpotts goes on to ſtate that the proceeding of Williams, in publiſhing an account of his trial for libel, has afforded "to the congenial ſpirit of this reviewer an opportunity of reviling the clergy and the Church of England, of which he has not failed to avail himſelf to the utmoſt."

"Decency," he adds, "and juſtice might have ſeemed to require that he ſhould at leaſt wait till the proceedings have been completed; but decency and juſtice are antiquated reſtrictions, which a modern reformer has long ſince learned to deſpiſe. Beſides, if he did not ſend forth his ſtrictures without delay, it might chance that the aſſertions, on which they were to be built, might loſe even the faint ſemblance of probability which it was convenient to throw around them."

A ſtatement in the letter of Dr. Phillpotts to Lord Grey, in reference to "the miſerable mercenary who eats the bread of proſtitution, and panders to the low appetites of thoſe who cannot, or who dare not, cater for their own malignity,"* cauſes the *Edinburgh Review* to faſten this ſomewhat ungraceful deſcription on Williams, the defendant in the action for libel. Dr. Phillpotts denies the alluſion, and humorouſly ſays:—

"After this we may find no difficulty in believing that the ingenious perſon who converted 'The Whole Duty of Man' into a ſeries of libels, by labelling each vice with the name of the ſquire, the churchwarden, and ſo forth, was no other than an Edinburgh reviewer."

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* See page 69.

The deſcription evidently does not appear to have been as flattering to Williams as it was uſeful to the purpoſes of the reviewer, for in his affidavit before the King's Bench, in January 1822, he declared that he did not know who was intended by it.

"By what means," ſays Dr. Phillpotts, "he afterwards improved ſo wonderfully in the moſt important of all ſciences —the knowledge of himſelf—or how he managed to 'ſcrew his courage to the ſwearing point,' I ſhall not trouble myſelf to inquire."

And a little further on he adds:—

"In truth he was not idiot enough to fit the cap to his own head, till he fancied he could ſerve a deſperate cauſe by wearing it."

So far from having aſſailed Williams, Dr. Phillpotts had carried forbearance to a point that muſt have been very trying to him. Week after week, and month after month, had Williams been dealing out the coarſeſt and fouleſt abuſe of him in the columns of the *Durham Chronicle*, and it would not have been difficult to find paſſages that might have given riſe to criminal proceedings. So far as it appears, Dr. Phillpotts did not retaliate, at all events in public, and with the exception of the ſingle ſentence in the letter to Lord Grey, which the reviewer claimed as deſcribing Williams, nothing can be produced to ſhow that he felt any irritation, or indeed was conſcious of the attacks of the preſs.

Dr. Phillpotts next proceeds to that portion of the

review which relates to the conduct of the Durham clergy, in not cauſing the bells to be tolled on the death of Queen Caroline. "To that body," he ſays, "I did not belong: over the bells of any church in Durham I had no more control than the defendant or his reviewer." A little further on he declares that all the reviewer's clamour againſt the Durham clergy, for taking a prominent and violent part on the queſtion of the Queen's guilt, is as wholly devoid of truth as his other aſſertions concerning them.

"They actually forbore," he ſays, "taking any part at all, till having been included in the deſcription of a county meeting,* which threatened the Sovereign with a revolution, in conſequence partly of the proceedings againſt her Majeſty, but chiefly of other alleged grievances, they exerciſed that right which none but thoſe 'who,' in the cant of the reviewer, 'eſpouſe liberal principles,' would deny them, and diſclaimed all ſhare in the acts of that meeting. But even in doing this, ſo little ground did they give for the charge of violence, in their language reſpecting the Queen, that, as far as the proceedings of the county meeting related to her Majeſty, they conſidered it ſufficient ſimply to declare their diſſent."

Speaking of the diſingenuous way in which the reviewer had performed his duty, Dr. Phillpotts ſays:—

"I will not purſue the diſguſting taſk of tracing all the frauds and artifices of this perſon, whoever he be, who has thruſt himſelf into the ſeat of juſtice, and, in conjunction with his brother reviewers, profeſſes to decide equally and impartially on all kinds of merit and demerit, literary, political, and moral."

* See page 66.

He then exhibits the defendant's libel, and the deſcription of it as given in the review, ſhowing that, to anſwer the reviewer's purpoſes, it is ſtripped of every ſingle expreſſion which marks its libellous character. Not one line of the libel occurs in a long article which occupies nine-and-twenty pages of cloſely-printed matter. "What honeſt motive," aſks Dr. Phillpotts, "can be aſſigned for ſuch a ſuppreſſion? Why is he thus anxious to hide from his readers the extent of the defendant's crime?"

The letter concludes with ſome withering remarks on the manner in which the *Edinburgh Review* was conducted. Not even the character of Jeffrey could be proof againſt ſuch charges as Dr. Phillpotts heaps upon him. They deſerve to be known, not indeed for the purpoſe of reflecting upon the memory of one who is no longer able to anſwer for himſelf, and who for once forgot his high ſenſe of honour in dealing thus with a clergyman of diſtinguiſhed poſition, but to ſhow that whatever bitterneſs may appear in portions of this letter, and in other places where this topic is referred to, was juſtified (if ever there can be juſtification for aſperity of language) by a ſeries of affronts and invectives, unworthy alike of the *Edinburgh Review* and of the diſtinguiſhed critic who conducted it.

"If by inadvertence," ſays Dr. Phillpotts, "anything falſe, unjuſt, or culpably offenſive to the feelings of an individual, ſhould for once have crept into his Journal, at leaſt he would be anxious to prevent all recurrence of the injury. Has ſuch been the conduct of the editor of this review? An

article was publiſhed in his ſixty-fourth number,* reflecting in the coarſeſt terms on my character. I anſwered that article by proving the wilful falſehood of its main allegations, and at the ſame time called on the author to defend his own veracity. Under that challenge he ſat down in ſilence. He ſeized indeed (or ſome one for him) on ſome ſubordinate particular, and with much confidence of manner, and freſh ſcurrility of language, triumphed over my ſuppoſed miſapprehenſion of a point of law. Here too he was defeated; his ignorance of the law was expoſed, as his leſs venial practices had been detected before. Having done this, I addreſſed the Editor of the Review in terms of forbearance, perhaps I might ſay of courteſy, on the juſt grounds of complaint which I might urge againſt himſelf. After an interval of three years, being again aſſailed in the ſame Journal, with equal groſſneſs, and as I have proved, with equal falſehood, I now tell the editor before the world, that on him will light all the ignominy of this ſecond outrage; I tell him too that he would rather have forgone half the profits of his unhallowed trade, than have dared to launch againſt any one of his brethren of the Gown, the ſmalleſt part of that ſcurrility, which he has felt no ſcruple in circulating againſt Churchmen. To you, Sir, I make no apology for addreſſing you on this occaſion. If you are not, what the public voice proclaims you to be, the Editor of the Review, you will thank me for thus giving you an opportunity publicly to diſclaim the degrading title. If you are, it is henceforth to me a matter of indifference what ſuch a perſon may think or ſay."

That Mr. Jeffrey ſhould give utterance to ſome wails of pain under ſuch a mercileſs caſtigation as this

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* This article appeared in the number for October, 1819, and was entitled, "The Neceſſity of Parliamentary Enquiry." It related to the degradation of Queen Caroline.

was nothing more than might have been expected. Accordingly, in the next number of the *Edinburgh Review* (February, 1823) there appeared an editorial "note on Dr. Phillpotts," extending over upwards of four pages. Denying any *merit* to his pamphlet, the writer alleges its excefs of violence and fcurrility as its only claim to diftinction.

As an example of the meekneſs with which he intends to ſchool Dr. Phillpotts into better behaviour for the future, he begins by ſtating that every one of the charges brought by him againſt the reviewer is *utterly unfounded*, and that his errors are to be aſcribed to *the violent paſſion* in which he evidently writes. After this conciliatory preface, he proceeds to examine certain ſtatements in the letter to Jeffrey in a tone which renders it impoſſible to follow him, and which plainly proves that the wounds inflicted by the laſh of Dr. Phillpotts were ſtill green and aching. Nothing, however, is ſaid which in the leaſt affects the merits of the caſe, and the concluding ſentences, in which all the previous charges againſt Dr. Phillpotts are reiterated and endorſed by the editor, can only have the effect of making every one regret that the manager of ſo diſtinguiſhed a Review ſhould have been wanting in the courteſy to confeſs that he was wrong, and refuſe to an injured clergyman the only reparation which it was in his power to give.

That Dr. Phillpotts ſhould have again adverted to the conduct of Mr. Jeffrey is not to be wondered at. The only marvel is that any ſkin, even if it were as

tough as the ſevenfold ſhield of Ajax, ſhould be able to endure a caſtigation ſo mercileſs.

The terrible denunciation which follows muſt have had its effect upon that motley brood of literary vipers, one characteriſtic of whom has ever been—

> "The tongue that licks the duſt,
> But, *when it ſafely dares*, is prompt to ſting;"

and it is no wonder that Scotch theologians and critics ſhould henceforward have done their beſt to keep themſelves out of reach of the Doctor's arm.

"The editor's own feelings on this occaſion," he ſays, "may perhaps give him ſome laſting touches of remorſe for more than twenty long and guilty years of wanton or wilful diſregard of the feelings of others. Let him, in his preſent mood, look on the catalogue of honourable and diſtinguiſhed names, which he and his confederates have laboured to make the ſport or the victims of their ſpleen, their arrogance, or their party fury. Let him reflect on the meanneſs, as well as the injuſtice, of abuſing the power, which the extenſive circulation of his Journal gave him, to 'blazon thoſe names' in every quarter to which Engliſh literature could reach, 'in connection with epithets' ſcarcely leſs painful (except that they were, for the moſt part, unmerited), than thoſe, under which he now writhes, with the bitter conſciouſneſs that they are deſerved. Let him remember, that, during ſo long a period, he has by himſelf, or his minions, pandered to all the envious and malignant feelings of his readers—uſed every engine of literary torture that could wound and lacerate ingenuous minds—left uneſſayed no ſingle gradation of cruelty, from ruffian violence down to the ſubtler and ſafer expedients of mock candour and contemptuous commendation—to eſtabliſh a deſpotiſm of the pen, which, like other deſpotiſms, has ended in deſtroying

itſelf. Let him read in the indignation, or the pity, of every impartial mind, his own large ſhare in the common ignominy which has long been thickening round his band—and then, let him, if he will, affect to hide his ſhame under the babyiſh plea, that he did not load the piece, he only primed it and drew the trigger—that he has, in ſhort, only hired himſelf out to a bookſeller, for ſome ſtated hundreds of miſerable pelf, to be the midwife and the nurſe to every unfathered brood of calumnies which the malice of his faction ſhall engender. If he will, let him talk thus, and perſiſt to defend what he knows is indefenſible. But, rather, let him ſeek, in this, his day of deep humiliation, the real benefit which he ought to draw from it. Let him meditate on the painful contraſt of what he is, with what he might have been —and what he yet may be. And then let him caſt off at once the vile ſlough with which he is encumbered—again ſtand forth in ſome ingenuous form, and vindicate anew his title to that high reſpect, of which no man but himſelf could rob him. Let him do this, and he will yet have reaſon to rejoice that in one, whom he had doomed for his victim, he has found a monitor and a friend."

This maſterly deſcription of the effects of perverted journaliſm may be commended to the conſideration of one, at leaſt, of our modern Reviews, which, in its reſtleſs eagerneſs to provoke a laugh, miſtakes invective for wit, and is willing to purchaſe a reputation for cleverneſs at any price demanded by an inſatiate public.

But, if Dr. Phillpotts had reaſon to complain of the malignity of his enemies, he was alſo rapidly making friends for himſelf in high places. The vigour of his writings, the ſubtlety of his wit, and the force and deciſion of his character, pointed him out as a valu-

able ally to any Government. It was about this time, therefore, that overtures were made to him by Lord Liverpool, who was deſirous of raiſing him to the Iriſh Epiſcopal Bench. The See of Clogher, then vacant by the deprivation of the Hon. Percy Jocelyn, with its princely income of 14,000*l.* a-year, would have been a tempting offer to moſt men; but, with greater ſagacity, Dr. Phillpotts declined the honour, rightly enough concluding that his talents and reputation would ſoon open the way to equal or greater dignities in England. That he himſelf expected that this would be the not unnatural termination of his labours, is evidenced by his having made a promiſe to the Biſhop of Durham (Dr. Barrington), on his preſentation by him to the Rectory of Stanhope, that he would not accept a biſhopric during his lordſhip's lifetime without his conſent, nor after his death, unleſs it ſhould ſeem to him that, if that prelate were alive, he would approve of his acceptance of it.

CHAPTER VIII.

Mr. Charles Butler's Book. The Anſwer of Dr. Phillpotts. Motives for undertaking it. Odium inevitable to it. No Deſire to ſee the Reſtrictions of Roman Catholics ſtrengthened. The Difficulty and Unpopularity of the Taſk. The Courage of Dr. Phillpotts. Value of his Letters to Mr. Butler. Devotion to the Virgin Mary and other Saints. Roman Catholic Explanations of the Way in which they receive the Prayers of Men. Their Futility. Doubtful Character of certain Roman Saints. An Example. Image-worſhip. S. Thomas Aquinas contraſted with the Second Council of Nice. Awkward Dilemma. Specious Attempts of Roman Catholic Writers to diſguiſe the Doctrine of Image-worſhip ſhown (1) from the Theory of their Church, and (2) from its Practice. Examples. Summing-up of the Queſtion. Dr. Lingard's Unfaithfulneſs in Quotation. Attempts of Roman Catholic Writers to ſoften down the Doctrine of Purgatory. Dr. Milner's Definition of it. A True Statement of it. Authority attributed by Bellarmine to Viſions in ſupport of Purgatory. Summarily diſpoſed of by Dr. Phillpotts. S. Auguſtine improperly claimed in favour of Purgatory. Means of relieving thoſe who are confined there. Effect of the Doctrine of Vicarious Satisfaction. Declarations of the Bible and the Church of Rome contraſted. Indulgences. The Ground on which the Doctrine reſts. The Practice of the Roman Church. Confeſſion and Abſolution. A Clergyman compelled to give Evidence of a Confeſſion in a Court of Juſtice. Impropriety of this ſhown by Dr. Phillpotts. S. Auguſtine and Pelagius. Dr. Phillpotts' Statement of Doctrine of Real Preſence. Defective, as ignoring the Objective Preſence. Archbiſhop Wake defended againſt Imputation of favouring Roman Doctrines. The Aſſertion that Biſhop Hoadley had many Followers among the Clergy refuted. The Power of the Pope examined. Examples of its Exerciſe. The Treatment of Heretics. Illuſtration of the Doctrine that Oaths are

not to be kept with them. The Spirit of the Papacy unchanged, as proved by the Recall of the Jeſuits and the Revival of the Inquiſition. Character of Dr. Phillpotts' Letters to Mr. Butler.

THE year 1825 was remarkable in the life of Dr. Phillpotts for witneſſing the production of the moſt important literary work upon which he had yet engaged. Mr. Charles Butler, a Roman Catholic layman, and member of Lincoln's Inn, diſtinguiſhed no leſs for his amiable qualities than his undoubted talent as a controverſial writer, had publiſhed a learned and laborious work, entitled, *The Book of the Roman Catholic Church.* It was in anſwer to this, or rather to the tenth Letter of it, entitled, *View of the Roman Catholic Syſtem*, that Dr. Phillpotts came forward to correct what ſeemed to him to be a very erroneous ſtatement, in ſome reſpects, of the doctrines of his own Church, but in a much greater degree of thoſe of the Church of Rome. It was a congenial taſk, and the reſult of his labours was the production (April, 1825) of fifteen Letters addreſſed to Mr. Butler,* and dedicated, together with an Appendix, to his old friend and patron, Dr. Barrington, Biſhop of Durham.

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* "Letters to Charles Butler, Eſq., on the Theological Parts of his 'Book of the Roman Catholic Church,' with Remarks on certain Works of Dr. Milner and Dr. Lingard, and on ſome Parts of the Evidence of Dr. Doyle before the two Committees of the Houſes of Parliament, by the Rev. Henry Phillpotts, D.D., Rector of Stanhope."

In undertaking the taſk Dr. Phillpotts does not ſeek to diſguiſe the probability that he will be charged with reviving paſt differences. But, whatever the effect of ſuch a charge may be, with perfect manlineſs he avows:—

"It ſurely cannot be neceſſary for a clergyman of the Church of England to apologiſe, at any time, for bringing forward the real grounds on which his Church found itſelf compelled to ſeparate from the Church of Rome."

Such a diffidence, in truth, would argue, not ſo much tenderneſs towards the principles of an adverſary, as a cowardly ſurrender of one's own. He is conſcious, alſo, that the appearance of his work, at a time when men's minds were agitated as to the propriety of removing the remaining political reſtrictions under which the Roman Catholics laboured, would be conſtrued into the wiſh of ſeeing thoſe reſtrictions ſtrengthened and perpetuated.

"I think it proper to declare," he ſays, "that ſuch is very far from being the motive of my preſent undertaking. If the time of this publication may ſeem to argue the contrary, let me remind you that this time is not of my chooſing, but of yours. At any period, and under any circumſtances, I ſhould have judged it right to expoſe ſo important a miſ-ſtatement as I conſider yours to be: and I am not prevented from ſo doing by an apprehenſion that I may be thought deſirous of ſupporting one ſide of a great political queſtion by the indirect influence of a theological argument."

Surely this frank and manly avowal ſhould have ſhielded Dr. Phillpotts from thoſe cruel attacks which were afterwards made upon the purity of his motives

and the conſiſtency of his principles. He had taken upon himſelf a difficult and a thankleſs taſk. The great reputation of Mr. Butler, ſupported by Dr. Milner's *End of Controverſy*, could not fail to have worked irreparable miſchief, if his ſtatements had remained uncontradicted. It was, indeed, an unpopular undertaking to contradict them, for the utmoſt ſkill and ingenuity of the advocates of Roman Catholic relief had been exhauſted in endeavouring to make it appear that the creeds of the Engliſh and Roman Churches were as ſimilar as poſſible. So great was the "liberaliſm" of the day that points of difference were rapidly vaniſhing, and plain men began to wonder why there had been ſuch a turmoil about the Reformation. But thankleſs as was the office of awakening the nation from the eaſy ſlumber of indifferentiſm into which it had fallen, lulled by the moſt ſoothing tones of its choſen orators, yet Dr. Phillpotts ſhrank not from it. God had given to him the learning and ability to overthrow the ſophiſtry of adverſaries, and right manfully did he do his work. This conſideration alone ſhould have ſhielded him from railing tongues.

Want of ſpace will render it impoſſible to go through theſe maſterly letters in detail, more particularly as portions of them will be touched upon in connection with Dr. Phillpotts' letters to Mr. Canning. The utmoſt, therefore, that can be attempted will be to direct attention to ſome of the moſt intereſting ſubjects referred to in them. And this is done with the pro-

foundeſt reverence for the learning, ſkill, and temper diſplayed throughout the whole. As long as any controverſy ſhall exiſt between the Churches of England and Rome, ſo long, it may ſafely be affirmed, will theſe letters remain a ſtorehouſe of knowledge for every ſtudent of theology.

In the ſecond Letter, which is occupied with a conſideration of the "Devotion to the Virgin Mary and other Saints," Dr. Phillpotts takes occaſion to examine what is meant by the *veneratio* and *invocatio* which the Roman Church enjoins to be paid to them. After ſhowing that the Council of Trent aſſigns to them one of the diſtinguiſhing attributes of God—a knowledge of what paſſes in the hearts of men, inaſmuch as *mental prayer* is included in the devotion to be paid to them, and that another attribute aſcribed to them is preſence throughout the habitable globe at the ſame time, as a neceſſary conſequence of the duty of praying to them, he continues :—

"I am aware, indeed, that ſome ingenious expedients have been ſuggeſted [to avoid the conſequence ariſing from the above poſitions]. For inſtance, that God is pleaſed by immediate revelation to inform the Virgin, and the ſaints, of every ſupplication addreſſed to them; and this ſeems to be the ſolution favoured by Dr. Milner. But, as you tell us that prayers are offered to the ſaints, only that they may offer prayers to God on our behalf, it follows, that God firſt reveals to them what we entreat them to pray to Him for us,—a proceſs which is not very ſatisfactory to men of plain underſtanding. It is told of a great man who had the misfortune of writing very illegibly, that he was in the habit of

accompanying every letter written by his own hand with a tranſcript of it by his ſecretary, in order that he might at the ſame time teſtify his reſpect, and conſult for the convenience of his correſpondent. Now this, which is the very reverſe of the ſuppoſed mode of availing ourſelves of the aſſiſtance of the ſaints in our prayers, ſeems to be much the more rational courſe of the two.

"But another ſolution of the difficulty has been deviſed:—that the ſaints have their information, not from God, but from the angels. This, however, I fear, removes the difficulty but a ſingle ſtep. For whence have the angels a knowledge of our prayers? What ſupports the tortoiſe? Accordingly, a third plan has been thought of:—that the ſaints ſee *in the mirror of the Deity* all that it is His pleaſure they ſhould ſee, and, among other things, the prayers of their ſupplicants. A fourth mode of explaining the matter is, the ſuppoſition of an inconceivable celerity in the locomotion of angels and ſaints—a celerity which, if it be ſufficient for its purpoſe, is ſo near akin to ubiquity, that it leaves us where it found us."

A little further on Dr. Phillpotts ſuggeſts another and a ſerious difficulty relating to the amount of honour to be paid to the ſaints:—

"As you are in the habit of addreſſing a good many ſaints, the merits of very few of whom are mentioned in Scripture, a plain man might aſk, What aſſurance you have that they really are ſaints? Is it not poſſible that very awkward miſtakes may occaſionally happen? That you may, for inſtance, addreſs your petitions to perſons of very different characters, and occupying a very different place in the world of ſpirits, to that which you ſuppoſe?"

The anſwer to this is the ſolemn canonization of deceaſed perſons under the eſpecial cognizance of the Pope; and Dr. Phillpotts mentions the caſe of Pope

Alexander III, who had occaſion to reprehend certain perſons for worſhipping, as a martyr to the cauſe of true religion, a man who was in truth only a martyr to the ſtrength of his wine, having been killed in a ſtate of drunkenneſs.

In the third Letter Dr. Phillpotts expoſes the diſhoneſty of Roman Catholic writers on the ſubject of "Image-worſhip." As a proof of this he ſets the authority of S. Thomas Aquinas againſt that of the Second Council of Nice. The former maintained that the image of Chriſt receives no reverence, as it is a piece of wood, or other ſubſtance, but is reverenced as repreſenting a rational being, and that therefore the reverence paid *to the image of Chriſt* muſt be *the ſame* as that which is paid to *Chriſt Himſelf*. The Second Council of Nice,* on the other hand, decreed that, like the image of the precious and life-giving Croſs, the venerable and holy images be ſet up, ſo that they who behold them may pay them "ſalutation and reſpectful honour; not indeed that true worſhip which is according to our faith, which only befits the Divine Nature," &c. Dr. Phillpotts thus remarks upon the diſcrepancy:—

"S. Thomas's doctrine (though in accordance with that of S. Bonaventure, Cardinal Cajetan, and others) was in direct oppoſition to a much higher authority than any of them—I mean the Second Council of Nice; the ſcandal whereof is ſo great that Bellarmine is driven to conjecture

* Aſſembled, in 787, by the Empreſs Irene, to reverſe the decrees of Conſtantinople, and eſtabliſh image-worſhip.

that S. Thomas had never ſeen the Acts of that Council—a ſuppoſition which is rather awkward, conſidering that one of the characteriſtics of a General Council is, that 'their ſound is gone out into all lands, and their word unto the ends of the world;' and yet the greateſt of ſchoolmen, it ſeems, five hundred years after the Council had ſat, was an utter ſtranger to its proceedings! But awkward as this ſuppoſition is, it is nevertheleſs abſolutely neceſſary; otherwiſe a ſtill more awkward alternative preſents itſelf. For either the Second Nicene Council, approved by Pope Hadrian, accepted by the whole Church, and declared to be a General Council by the inſpired aſſembly at Trent, was no General Council, and ſo the infallible Church hath erred; or elſe S. Thomas, the angelic Doctor, in ſpite of his ſainthood, aye, and S. Bonaventure too, the ſeraphic Doctor, who is declared in the bull of his canonization to have 'diſcourſed on theſe matters as if the Holy Spirit ſpoke by his mouth,' were no better than rank heretics."

The ſpecious arguments with which Roman Catholic writers diſguiſe the worſhip which is ſhown to images are well expoſed by Dr. Phillpotts. "Decent reſpect" is all that Dr. Milner pretends to demand for them in his *End of Controverſy;* and he maintains that the object for which pious pictures and images are retained in churches is "the ſame for which pictures and images are made and retained by mankind in general—to put us in mind of the perſons and things they repreſent." The falſity of this is ſhown by Dr. Phillpotts (1) from the *theory* of the Roman Church as contained in the decrees of the Second Nicene Council, on the perfect infallibility of which the infallibility of the Roman Church depends. Some curious caſes are recorded of the teſtimony rendered by biſhops and others

at this council in favour of the worſhipping of images. There is one ſtory (recited from the *Limonarium* of Sophronius, Archbiſhop of Jeruſalem) atteſting the hatred which the devil bears to images, which is too edifying to be omitted. A certain hermit was haraſſed by the demon of incontinence. One day the devil preſented himſelf before him, and promiſed that he would tempt him no further, if he, on his part, would ſwear to obſerve what he told him. The hermit ſwore. "Do not worſhip this image," ſaid the devil, pointing to one of the Bleſſed Virgin with the Child Jeſus in her arms, "and I will never attack you again." The hermit felt that he had been incautious, and demanded time for deliberation; whereupon the devil went away. Having conſulted the Abbot Theodore, and told him all that had paſſed, he was diſmiſſed with the following aſſurance, "You had better not leave a ſingle brothel in this city unviſited, than refuſe to worſhip our Lord Jeſus with His mother in image." The conduct of this hermit is compared by the Fathers of the Council to S. Peter's denial of our Saviour with an oath, and afterwards repenting!

"It is but juſtice to the liberality of the council," ſays Dr. Phillpotts, "to ſtate, that the quality of the perſonage to whom the hermit had taken his oath is not permitted to affect the argument. They are determined ſolely by the matter of the hermit's oath, as it involved a renunciation of the worſhip of images: ſo that to my Proteſtant readers the judgment of theſe holy fathers may be more ſimply ſtated thus; *it is a greater ſin to keep the ſecond commandment than to break the third and the ſeventh.*"

But the falſity of the ſtatements of Roman apologiſts about image-worſhip is alſo ſhown (2) from the *practice* of their Church. Dr. Phillpotts quotes paſſages from the Miſſal where "the miniſters of the altar, and the reſt in ſucceſſion, *adore the croſs*," and where "the *adoration of the croſs being finiſhed*, the deacon reverently receives the croſs, and carries it back to the altar." He alſo quotes prayers from the *Pontificale Romanum*, "*De benedictione novæ Crucis*," in the courſe of which the pontiff kneels before the croſs, and "*devoutly adores it.*"

Dr. Phillpotts then demands whether the Roman doctrine of image-worſhip is the harmleſs thing it is repreſented to be. If it implied nothing more than "decent reſpect,"—

"Could it," he aſks, "have ſo often led its followers to the practice of direct idolatry? Or could the rulers of your Church have heſitated one inſtant to forbid all images, when the uſe of them was ſo little neceſſary, and the abuſe ſo common and tremendous? If it were only this, could cardinals, and popes, and ſaints, have ſo groſſly miſconceived, or ſo impiouſly perverted it? If it were only this, could the aſſembled piety and wiſdom of the univerſal Church; above all, could that Holy Spirit, Whom the Lord of life and love ſent into the world to bleſs, to comfort, and to ſupport His children, could He, guiding by His ſecret influence the deciſions of a general council, condemn the impugners of ſuch a doctrine to eternal torments? Could He, for ſo ſlight an error, have ſhut us out from all hopes of mercy, have denied us all ſhare in our Redeemer's merits, made us outcaſts from His love and aliens from His inheritance? Is it thus His bleſſed promiſe is fulfilled, that 'even the bruiſed reed He will not

break, and the ſmoking flax He will not quench?' Has that Holy Spirit told us that 'we ſhall not make to ourſelves any graven image, nor the likeneſs of anything in heaven, in earth, or under the earth; that we ſhall not bow down to them, nor worſhip them;' and does the ſame Spirit cut us off for ever, if yet we ſcruple to reſpect and venerate them? Is the exact meaſure of obſervance due to images, by the will of God, ſo very nice, ſo very delicately poiſed, and yet is miſtake on either ſide big with danger to our ſoul's ſalvation?

"Will you dare to anſwer theſe queſtions in the affirmative? If you will not, you muſt acknowledge that the repreſentation of your Church's doctrine, made by your modern apologiſts, is, in this inſtance, falſe and deceitful."

The fourth Letter, relating to Dr. Lingard, the Roman Catholic hiſtorian, an old antagoniſt of Dr. Phillpotts,* and his unfaithfulneſs in quotation, is well worthy of careful ſtudy, as ſhowing the petty artifices which even the more reſpectable among Roman Catholic controverſialiſts ſhrink not from adopting to ſupport a tottering cauſe. After ſhowing the unſcrupulous way in which he had garbled ſome remarks of Anaſtaſius Bibliothecarius, in his Preface to the Seventh Synod (the Second Nicene), Dr. Phillpotts concludes,—

"Perhaps, however, you will by this time underſtand why I now attend not to what Dr. Lingard may ſay, but to what he may prove; and that to a hiſtory by that writer I do not attend at all."

The attempt of Roman Catholic writers to ſoften down the doctrine of "Purgatory" next engages the

* See page 12.

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attention of Dr. Phillpotts in the fifth Letter. Dr. Milner had not feared to aſſert that there are only two points defined by the Roman Church, viz. that there is a middle ſtate, called Purgatory, and that the ſouls detained in it are helped by the prayers of the faithful on earth. This, it muſt be confeſſed, is a comfortable, if not a ſatisfactory, way of getting out of the difficulties involved in this dogma. But Dr. Phillpotts is not ſo eaſily ſatisfied: he therefore proceeds to ſtate what purgatory is according to authorized Roman writings. For brevity and accuracy it is probable that a better deſcription does not exiſt.

"It is the doctrine of the Church of Rome, that, although in Baptiſm all ſin previouſly committed is freely forgiven, and all puniſhment on account of it, temporal as well as eternal, is fully remitted, yet after Baptiſm, mortal ſins are not dealt with ſo leniently; even when they have been remitted in the ſacrament of penance, and ſo the guilt of them (*reatus culpæ*) and the eternal puniſhment in hell on account of them, have been removed. In ſhort, there ſtill remains due to Divine juſtice a temporary puniſhment; and thoſe who have not ſatisfied for this temporary puniſhment by their works or their ſufferings, in this life, muſt ſuffer for them in purgatory after death. And ſo neceſſary an article of faith is this held to be, that an anathema is expreſsly denounced by the Council of Trent againſt all who ſhall deny it."*

He then ſpeaks of the authority attributed by Bellarmine to viſions, as atteſting the exiſtence of purgatory. That author, the depth of whoſe learning

* Seſs. vi. c. 30.

and the ſtrength of whoſe arguments muſt ever give him a foremoſt place amongſt controverſial writers, diſtinctly aſſerts that it has pleaſed God ſometimes to raiſe His ſervants from the dead, and to ſend them to announce to the living what they have really beheld. This aſſertion, and the two narratives which follow in ſupport of it, are moſt happily diſpoſed of by Dr. Phillpotts:—

"Here it is obvious to remark, how much more gracious God is repreſented to have been to your Church in this particular, than might have been expected from His declaration in the Goſpel, 'If they hear not Moſes and the Prophets, neither will they be perſuaded, though one roſe from the dead.' It may indeed be ſaid, and I am ready to admit the whole force of the ſuggeſtion, that neither 'Moſes and the Prophets,' nor Chriſt and His Apoſtles, have ſaid a ſingle word about purgatory, and therefore an eſpecial revelation in proof of it was by no means ſuperfluous."

It is well known that S. Auguſtine is claimed by the Roman Catholics as an authority in favour of their doctrine of purgatory; but the ſlenderneſs of the grounds on which this claim is founded is not ſo generally underſtood. Dr. Phillpotts goes into the queſtion at conſiderable length in his ſixth Letter, and expoſes the unfairneſs of Dr. Milner's quotations and deductions.

"The truth is," he ſays, "that the real words of Auguſtine, though a moſt undeniable evidence in favour of ſacrifices of the altar, and of alms for the dead, are a ſtrong teſtimony *againſt* the Roman doctrine of *Purgatory*."

That prayer for the dead was in uſe in the early

Church Dr. Phillpotts readily enough admits, but contends that it was a very different thing from the modern Roman practice, and proceeded on very different grounds. So much ſo indeed—

"That, in Auguſtine, paſſages which prove the practice of prayer for the dead, are in general found in company with others which negative a belief in purgatory, never (as far as I have ſeen, or Dr. Milner has ſhown), with any which affirm it."

In the ſeventh Letter Dr. Phillpotts proceeds to conſider the means of relieving thoſe who are confined in purgatory. And here he has recourſe to the authorized documents of the Roman Church, which ſet forth that "God has mercifully granted to the infirmity of the human race, that one man may be able to ſatisfy for another;" that is, to ſatisfy for the temporal puniſhment due to mortal ſins, whoſe guilt and eternal puniſhment are already remitted. This certainly is a comfortable, if not an edifying, article of belief, for it is in the power of ſurviving friends to make that ſatisfaction for the ſins of the deceaſed which he omitted to do before he died. On this arrangement of vicarious ſatisfaction Dr. Phillpotts remarks with as much of pleaſantry as force:—

"As theſe friends of the deceaſed may chance to be unmindful of them, or may have enough to do on their own account, a prudent penitent, if he be alſo an opulent one, will take care, in contemplation of the pains of purgatory, to make his teſtamentary diſpoſitions in ſuch a manner as ſhall ſecure the performance of an adequate number of

maſſes for his relief. The Council [of Trent], with laudable attention to the equity of theſe tranſactions, ſtrictly enjoins that the money ſhall not have been received, without a return of the money's worth: that 'whatever ſhall be due for the faithful defunct, according to the foundations of teſtators, or on any other ſcore, ſhall be diſcharged, not perfunctorily, but by the prieſts and miniſters of the Church, and others whom it may concern, with diligence and accuracy.'"

After pointing out that the "faithful" in former days had not been ſlow or niggardly in this comfortable way of turning the mammon of unrighteouſneſs to a ſerviceable account, he continues:—

"Let us hear, then, the concluſion of the whole matter. 'How hardly ſhall he who truſts in riches enter into the kingdom of God,' ſays the Goſpel of Chriſt Jeſus. 'How hardly ſhall he, who truſts in riches, be kept out of the kingdom of God!' ſays the goſpel of the Church of Rome. If it be one of the high diſtinctions of the former, that to the poor the Goſpel is preached, it may be not leſs the appropriate boaſt of the latter, that by it the caſe of the rich has been no leſs happily provided for. Charles II. had good reaſon for ſaying that yours is the only religion for a gentleman."

The eighth Letter is occupied with the conſideration of "Indulgences," the real nature of which it is the aim of Roman Catholic writers to diſguiſe. After expoſing ſome of the expedients to which they ſcruple not to reſort, Dr. Phillpotts proceeds to give a clear and conciſe view of the ground on which the doctrine reſts, the correctneſs of which it would be eaſy to ſuſtain by authorities of the higheſt credit in the Roman Church.

"It reſts, (as I need not remind you, though you have made it neceſſary that I ſhould remind your readers,) on the alleged 'treaſure of your Church,' a treaſure which is abſolutely inexhauſtible; for it conſiſts, firſt, of all the merits of Chriſt's ſufferings beyond what was neceſſary for the redemption of mankind; and as thoſe merits were infinite, their value could not be diminiſhed by that or any other application of them; they muſt ſtill, therefore, continue infinite. But over and above, and (what is ſomewhat remarkable) in aid of this infinite treaſure, you have in the ſecond place, a ſubſidiary hoard, namely, the merits of all the works, which all or any of the ſaints have ever performed beyond what was neceſſary to ſatisfy for themſelves; theſe you, of courſe, regard as a very large ſum; the Virgin Mary's merits in particular muſt have been enormous; for ſhe had not even venial ſin of her own (as we have already ſeen) to curtail their amount. Now, all theſe merits, I ſay, are a ſacred treaſure to be diſpenſed at the diſcretion of the Church, that is, with rare exceptions, of the Pope, to meet the exigencies of the faithful. Accordingly, Bellarmine has ſaid that an 'indulgence is nothing elſe, than an application of the ſatisfactions, or penal works of Chriſt and the Saints.'"

Having ſtated the doctrine, he next proceeds (2) to the *practice* of the Roman Church in reſpect of indulgences.

The earlieſt inſtances on record were thoſe granted to the Cruſaders, who, in conſideration for their zeal in fighting for the recovery of the Holy Land, received from the Pope "remiſſion of all their ſins," or, in other words, entire exemption from the pains of purgatory.

"And this," ſays Dr. Phillpotts, "it muſt be allowed, was only putting the armies of the Croſs on an equal footing with thoſe of the Creſcent. Mahomet had promiſed to his

followers, that all who fell in battle on his ſide ſhould be admitted at once to the joys of Paradiſe; and was it reaſonable that the Pope ſhould be backward in affording ſimilar encouragement to Chriſtian warriors?"

The caſes of Innocent III. and Honorius II. are then cited, both of whom levied armies, in which immunity from purgatory formed the chief part of the pay.

"But theſe are all military and ſomewhat perilous works," ſays Dr. Phillpotts. "There were other indulgences granted on more peaceful and ordinary occaſions. Such was that of Paſchal II. in favour of all who devoutly viſited the churches of the Apoſtles at Rome; ſuch, too, was that in favour of thoſe who aſſiſt at the Pope's ſolemn benediction on Eaſter Day. In proceſs of time, indeed, indulgences, even plenary ones, were to be had on extremely reaſonable terms. In the pontificate of Leo X. they were ſome of the moſt marketable commodities of the day, and ſeem to have been ſold ſufficiently cheap."*

* "Thus were men taught to put their truſt in riches; their wealth being thus inveſted, became available to them beyond the grave; and in whatever ſins they indulged, provided they went through the proper forms, and obtained a diſcharge, they might purchaſe a free paſſage through purgatory, or at leaſt an abbreviation of the term, and a mitigation of its torments while they laſted. How ſevere theſe torments were to be, might in ſome degree be eſtimated by the ſcale appointed for thoſe who were willing to commute, at a certain rate, while they were alive. The ſet-off for a ſingle year was fixed at the recitation of thirty pſalms, with an accompaniment of one hundred ſtripes to each: the whole pſalter, with its accompaniment of fifteen thouſand, availing only to redeem five years."—SOUTHEY's *Book of the Church*, vol. i. chap. x.

The ninth Letter, on "Confeſſion and Abſolution," will be more appropriately conſidered further on in this work, in reference to a letter by Dr. Phillpotts to the Dean of Exeter on the ſame ſubject. It was reprinted in a ſeparate form, and obtained an extenſive circulation among the clergy.

The tenth Letter, (a very ſhort one,) "on the ſuppoſed legal neceſſity of a miniſter of the Church of England giving evidence in a Court of Juſtice, of what has been confided to him in confeſſion," aroſe out of the following circumſtances. At the aſſizes for Northumberland, a priſoner, who was on his trial for murder, had confeſſed his guilt to a prieſt of the Church of England. That clergyman was required to give evidence of the confeſſion, and an objection to it taken by the priſoner's counſel was over-ruled by Mr. Juſtice Wilſon, before whom the caſe was tried. The importance of this queſtion it would be hard to over-eſtimate. While Dr. Phillpotts inclines to the belief that confeſſion to a prieſt would fall under the application of the ordinary law of evidence, and ſo be required to be divulged in a Court of Juſtice, he nevertheleſs maintains that there is ſpecial ground for protection in the caſe of prieſts of the *Engliſh* Church. This ground is to be diſcovered in the Liturgy and Rubrics, which, if not actually part of the law of the land, are regarded by it "as pointing out, in all particulars included in them, the real duty of Chriſtians." He refers to the rubric in the Office for the Viſitation of the Sick, which, "in certain circumſtances,

enjoins ſecret confeſſion to a prieſt, as a part of Chriſtian duty," and points out that the Liturgy, in the exhortation to Holy Communion, "ſpecially invites" the penitent to ſimilar confeſſion.

"Does, then, the Law of England," he inquires, "ſubject to civil miſchiefs of the graveſt kind, thoſe who comply with what it admits to be their duty as Chriſtians, becauſe they comply with it? Is it thus that the great boaſt of Engliſhmen is realized, that Chriſtianity is part of the common law of the land? But this is not all. If the clergyman is bound to reveal in evidence what has been communicated to him in confeſſion, he is alſo bound to reveal it, in caſe of felony, without waiting to be ſummoned as a witneſs at all. If he does not, he is guilty of miſpriſion of felony. Will a principle, drawing this monſtrous conſequence after it, be maintained? Shall the clergyman be ſubjected to fine and impriſonment for not diſcloſing to man what the law of God commands him to conceal? But to this extent the principle, if it be a ſound one, muſt be confeſſed to lead."

The thoroughly ſenſible and practical view taken by Dr. Phillpotts in the above extract entitles him to the reſpectful thanks of every Engliſh Churchman.

The eleventh Letter, on "Auguſtine and Pelagius," requires no comment, as it merely ſets forth that, in Dr. Phillpotts' judgment, Mr. Southey, in his *Book of the Church*, has not formed an accurate eſtimate of the points in controverſy between them, inclining more to the ſide of Pelagius than is conſiſtent with any very rigid notions of orthodoxy.

The twelfth Letter, on "Tranſubſtantiation," affords to Dr. Phillpotts an opportunity of ſtating what he conceives to be the doctrine of the Church of England

on the Real Preſence. Reference has already been made to places* where he treats the doctrine in general terms; but here his ſtatement is far more explicit:—

"She holds that after the conſecration of the bread and wine they are changed, not in their nature, but in their *uſe*; that, inſtead of nouriſhing our bodies only, they now are inſtruments by which, when worthily received, God gives to our ſouls the Body and Blood of Chriſt to nouriſh and ſuſtain them; that this is not a fictitious or imaginary exhibition of our crucified Redeemer to us, but a real though ſpiritual one; more real, indeed, becauſe more effectual, than the carnal exhibition and manducation of Him could be, (for the fleſh profiteth nothing.) In the ſame manner, then, as our Lord Himſelf ſaid, 'I am the *true* bread that came down from heaven,' (not meaning thereby that He was a lump of baked dough, or manna, but the true means of ſuſtaining the true life of man, which is ſpiritual, not corporeal,) ſo, in the Sacrament, to the worthy receiver of the conſecrated elements, though in their nature mere bread and wine, are yet given truly, really, and effectively, the crucified Body and Blood of Chriſt; that Body and Blood which were the inſtruments of man's redemption, and upon which our ſpiritual life and ſtrength ſolely depend. It is in this ſenſe that the crucified Jeſus is preſent in the Sacrament of His Supper, not in, nor with, the bread and wine, nor under their accidents, but in the ſouls of communicants; not carnally, but effectually and faithfully, and therefore moſt really."

This extract is given, not as containing the true doctrine of the Church of England on the ſubject of the Holy Euchariſt, but for the purpoſe of hereafter

* Pages 36 and 81.

comparing it with other ſtatements by Dr. Phillpotts.* Meanwhile, it may ſuffice to ſay that this expoſition of doctrine riſes not at all above the level of Zuinglianiſm, ſince it is founded throughout on the notion of a mere *ſubjective* preſence, the *objective* being never taken into account. In the laſt paragraph it ſeems to be forgotten that the thing received in the Holy Euchariſt conſiſts of two parts, different indeed in character, yet inſeparably united one to the other—the *ſacramentum* and the *res ſacramenti*; and that in receiving the former we alſo receive the latter. Whether, however, we alſo receive the *virtus ſacramenti* is another queſtion, and one which depends upon the diſpoſitions with which we receive that holy ſacrament.

The commencement of the thirteenth Letter is occupied with a defence of Archbiſhop Wake againſt the imputation of favouring Roman doctrines. The idea having been firſt ſtarted by the Biſhop of Norwich in his place in Parliament, it was eagerly adopted by Dr. Milner, and turned againſt the clergy of the Church, for the purpoſe of ſhowing their intolerant ſpirit. The conduct of the Archbiſhop has already been referred to;† it will be needleſs, therefore, to ſay more than that Dr. Phillpotts thoroughly expoſes the diſingenuous uſe which Dr. Milner had attempted to make of his

* Particularly in reference to a reply to an Addreſs of the Clergy of the Dioceſe of Exeter on the caſe of Archdeacon Deniſon.

† See pages 34—37.

revered name. With equal force and ability does he diſpoſe of the charge that a large proportion of the Church of England were diſciples of Hoadley, and, as ſuch, denied the exiſtence of Sacraments. After aſſerting that in the experience of his whole life, ſpent under circumſtances which gave him unuſual opportunities for obſerving the opinions of thoſe with whom he had to deal, he had never met with a ſingle miniſter of the Church who held the notion imputed to them, Dr. Phillpotts continues:—

"The truth is, (and for teſtimony to it I appeal to all men of all ſects and parties who have any opportunity of obſerving,) that, whatever faults may be aſcribed to the preſent clergy of the Church of England, indifference to the tenets of that Church forms no part of their character. There is, on the contrary, an increaſed and increaſing ſpirit of earneſtneſs in inveſtigating, and of zeal in preaching them; nor could an adverſary at any period ſince the Reformation, with leſs ſhadow of juſtice than at preſent, have arraigned the Eſtabliſhed Church for unfaithfulneſs to the Articles of their religion. Nay, even in Hoadley's own time, ſo little were his notions countenanced by the clergy, that the Lower Houſe of Convocation paſſed a ſtrong vote againſt him; nor could anything have ſhielded him from the further conſequences of their indignation, had not the injuſtice or the timidity of Government prevented that body from ever deliberating again."

Letter the fourteenth is on "the Power of the Pope," which Dr. Phillpotts characterizes rightly enough as a monſtrous claim to a pre-eminence, not of rank merely, but of authority and juriſdiction over the greateſt princes of the earth—a right to depoſe them for hereſy

and favouring hereſy, and a conſequent right to abſolve ſubjects from their allegiance. After quoting the Council of Florence, the Fourth Lateran Council, and the canons in ſupport of this view of the Papal power, he proceeds to ſhow that it was no mere empty honour, but was often exerciſed in a way at once energetic and formidable. A Roman Catholic witneſs before the Committee of the Houſe of Commons having aſſerted that the Popes reſted their title to temporal interference upon ſome temporal right previouſly acquired by themſelves or their predeceſſors, Dr. Phillpotts continues:—

"I may be permitted to aſk, What temporal right had been acquired by Gregory III. over the Eaſtern Empire, entitling him to forbid taxes to be paid to Leo the Iconoclaſt, who had been excommunicated by him? Again, who had given Zachary, or any of his predeceſſors, any temporal right over the kingdom of France, by virtue of which he actually depoſed Childeric on account of his being indolent and uſeleſs, and ſubſtituted Pepin in his place?"

He might alſo have inquired, with equal force, what right Alexander the VIth had to beſtow America on Spain, and India on Portugal.

After an examination of Bellarmine's doctrine of the Pope's power in temporals, a ſomewhat inſtructive portion of which is that the Church does not always exerciſe the right, "*either becauſe it has not ſufficient ſtrength, or does not think it expedient,*" Dr. Phillpotts goes on to conſider the treatment of heretics. Fully admitting the right of the Church to cut off its unworthy members,—

"Therefore," he ſays, "if excommunication were all the penalty which the Church of Rome had claimed a right to inflict, there could be no fair ground of complaint againſt her; even though the civil power, acting on the judgment of the Church, ſhould, of its own motion, inflict on thoſe whom the Church had excommunicated any meaſure of puniſhment whatever."

But, ſo far from this being the caſe, the Great Lateran Council * had decreed that heretics were to be delivered over to the ſecular power, to be puniſhed in the manner that is due.

"What that manner is," ſays Dr. Phillpotts, "I need hardly remind my readers. It was death—death in its moſt appalling form, death by burning. This accurſed ſentence was the invention of the Church of Rome; its canons recognize it, thoſe canons to which councils refer."

As to the queſtion whether oaths with heretics are binding, after quoting the well-known caſes of John Hus, and Jerome of Prague, Dr. Phillpotts mentions another, which, if leſs widely known, is equally to the point:—

"It is the caſe of Paul V, who is ſaid to have adopted a more ingenious, and hardly leſs ſatisfactory courſe, than the Council of Conſtance followed in Jerome's inſtance. Father Fulgentio, the friend of the illuſtrious Paul Sarpi, was prevailed with to come to Rome under a ſafe-conduct granted by the Pope. When there, he was treated as a heretic, and on appealing to his ſafe-conduct was anſwered, that *the conduct was ſafe for his coming thither, but not for his going thence.* After this, who will deny the ſtrict fidelity of the Church of Rome to all its engagements with heretics?

* Convened by Innocent III. in 1215.

Among theſe engagements, it has always reckoned as the moſt ſacred that of labouring for the ſpiritual good of its rebellious children, 'the deſerters from its camp,' as the Catechiſm of Trent calls them, by a little gentle corporal correction."

In the fifteenth and laſt Letter Dr. Phillpotts aſſerts that the ſpirit of the Papacy is ever the ſame, and that if it is now leſs imperious in its demands than formerly, it is from lack of power to enforce them.

"Not that there is any ground of hope," he ſays, "that the ſpirit of Rome is grown at all more tolerant, leſs ferocious, or leſs ambitious. It is declared by its own advocates to be unaltered and unalterable. The hiſtory of ages atteſts the momentous truth. Twelve hundred years have now paſſed over the heads of men ſince this ſpiritual tyranny firſt ſhowed its portentous form; during that period ſtates and empires have diſappeared from the face of the earth; but Rome, Papal Rome, is ſtill the ſame—ſtill adheres with undiminiſhed zeal to that one ſubtle, daring ſyſtem, which, through every variety of power and fortune, it has contrived to cheriſh, and commonly to advance."

He then inſtances the recall of the Jeſuits by Pius VII, after they had been baniſhed by Clement XIV, and the revival of the Inquiſition, as evidence of the unyielding ſpirit of Rome, and the pertinacity with which ſhe returns to her original principles. Speaking of the Inquiſition, he denounces it as—

"That accurſed inſtrument of ſpiritual tyranny, which no Engliſh Proteſtant, even in the ſecurity of his own land, can think on without horror. The office of the Inquiſition, which owed its rigour at leaſt, if not its birth, to the ſame Pontiff who convened the great Lateran Council, and there deviſed thoſe decrees againſt heretics which nothing

but ſuch an inſtitution could execute,—that Inquiſition which Paul IV. aſcribed to the ſpecial inſpiration of the Holy Ghoſt, and with his dying breath commended to his cardinals as *eſſential to the very exiſtence of the authority of the Church*,—that Inquiſition is again in being, not in Spain only, but in Italy. Need I ſay more. The monſter lives!"

The Letter concludes with ſome well-turned compliments on the character and abilities of Mr. Butler, and an earneſt deprecation on the part of Dr. Phillpotts of any aſperity which inadvertently may have appeared.

But, ſo far from any harſhneſs being traceable in theſe Letters, they are in truth models of courteſy. Never for one moment does Dr. Phillpotts forget what is due to his own character, and that of his opponent; nor can a ſingle inſtance be cited in which he endeavours to ſtrengthen his argument by any uncandid ſtatement of facts. An air of fairneſs breathes through every line.

Well might the writer ſay to his adverſaries:—

> "There is no terror in your threats,
> For I am armed ſo ſtrong in Honeſty,
> That they paſs by me as the idle wind,
> Which I reſpect not."

Would that all controverſialiſts would follow in the ſteps of Dr. Phillpotts and not regard the end, without jealouſly watching over the means!

If his language occaſionally aſſumes the tone of indignant proteſt, it is due to thoſe ſpiritual guides of Mr. Butler who miſled him on points where his own

judgment would never have ſeduced him. Arduous as was the taſk of hunting profeſſed controverſialiſts through every citation they made, yet all muſt admire the forbearance of Dr. Phillpotts while expoſing even the moſt diſingenuous and clumſy of their devices. His temper never fails him under circumſtances the moſt irritating. From beginning to end he mingles a quiet humour with his argument, which relieves the ſubject of its tediouſneſs, and reveals the almoſt boundleſs reſources of his wit. That Mr. Butler himſelf was powerfully impreſſed with the courteſy of his opponent may be gathered from the fact of his ſeeking an introduction to him, and cultivating his acquaintance.

CHAPTER IX.

Supplemental Letter to Mr. Butler. Its Origin. Dr. Kelly's Attempt to explain away Prayers addreſſed to the Virgin. His Sophiſtry expoſed. Examples of Blaſphemous Prayers. Image-worſhip evaded by Roman Catholic Writers. Miraculous Images. The Bambino and Winking Virgin of Ancona. Profuſeneſs of theſe Wonders. Their authority ſupported by Official Documents. Dr. Murray's View of Indulgences. His Diſingenuous Dealing. An Example. The Length of Time for which Indulgences are available. Diſhoneſty of Roman Catholic Writers. Confeſſion. Flagrant Example of its Abuſe. Prohibition of the Free Uſe of the Scriptures. Fearful Terms in which they are ſpoken of by Roman Catholic Writers. The Power of the Pope. Attempt of Dr. Doyle to ſoften it down expoſed. Danger of the Doctrine in a country like Ireland. The Interference of Government in the Appointment of Iriſh Roman Catholic Biſhops. Allowed by the Pope, but repudiated by the Roman Catholic Biſhops themſelves. Prevarication of Dr. Doyle. The Oath taken by Roman Catholic Biſhops to the Pope. Its Origin. Canonization of Gregory VII. The Third Canon of the Fourth Council of Lateran. Attempt of Roman Catholics to repudiate it expoſed. The Caſe of John Hus fully conſidered. The Doctrine of Excluſive Salvation as taught by the Church of Rome. Its Danger. Diſingenuous Uſe of the 18th Article of Religion by Roman Catholic Writers. An Expoſition of it. Peril of admitting Roman Catholics to a Share in the Legiſlature. Pretenſions of the Roman Church as ſtated by Dr. Doyle. Poſition of Members of the Eſtabliſhed Church according to the Roman Theory. Examples of the Overbearing Spirit of the Roman Church. Appeal to the more Moderate Members of that Communion. Eſtimate of Dr. Doyle.

EARLY in the following year, 1826, a ſecond Letter to Mr. Butler* appeared, dedicated to the Biſhop of London (Dr. Howley). This was cauſed mainly by the evidence taken before ſelect Committees of the two Houſes of Parliament, appointed in the ſeſſions of 1824 and 1825 to inquire into the ſtate of Ireland,—ſome idea of the ponderous character of which may be gathered from the fact that a digeſt of it occupies two moderately thick octavo volumes. In the courſe of their examination the Iriſh Roman Catholic Biſhops had endeavoured to give ſuch a view of the doctrines and practices of their Church as was both at variance with facts and calculated to excite an undue feeling of ſympathy for the cauſe of Roman Catholic relief. Much credit, therefore, belongs to Dr. Phillpotts for expoſing the deception, and tearing away the flimſy veil of ſophiſtry with which they had ſought to diſguiſe the deformity of their modern inventions.

Dr. Kelly, the Roman Catholic Archbiſhop of Tuam, and conſequently no mean authority in his Church, had endeavoured to perſuade the Committee

* "A Supplemental Letter to Charles Butler, Eſq., on ſome Parts of the Evidence given by the Iriſh Roman Catholic Biſhops, particularly by Dr. Doyle, before the Committees of the two Houſes of Parliament in the Seſſion of 1825, and alſo on certain Paſſages in Dr. Doyle's 'Eſſay on the Catholic Claims,' by the Rev. Henry Phillpotts, D.D., Rector of Stanhope."

of the Houſe of Commons that the nature and object of prayers addreſſed to the Bleſſed Virgin were commonly miſunderſtood—that ſhe cannot, as was repreſented, grant favours of herſelf, but that ſhe may, through her powerful interceſſion, obtain favours from God for us. The following prayer was then adduced: "Te deprecor ut mea inopia ſublevetur, ut per te purgationem peccatorum obtineam;" upon which Dr. Kelly remarked, with more of ingenuity than honeſty, that "the uſe of the word *per* conſtitutes it a prayer of interceſſion; that it is through her interceſſion only that all theſe favours are ſought to be obtained by this prayer." This was too ſpecious an argument to be allowed to paſs, and therefore Dr. Phillpotts replies:—

"Now this, at leaſt, is making the diſtinction to be very finely drawn, and ſuſpends the whole weight of the honour due to God on a very ſlender thread. To any one who may chance to uſe this prayer, without underſtanding this ſolitary prepoſition in Dr. Kelly's ſenſe, (which is by no means its only or its moſt obvious ſenſe,) it is then an act of the utmoſt impiety; it is a transfer to a mere creature of the honour due, by the Word of God, to God only."

He then quotes extracts from books of devotion in common uſe among Roman Catholics, to ſhow the extravagant nature of the prayers addreſſed to the Virgin. Whether they harmonize as completely as could be wiſhed with the explanation of Dr. Kelly may be judged from the following, where ſhe is invoked as "*the great Mediatrix between God and*

man, obtaining for ſinners all they can aſk and demand of the Bleſſed Trinity,"* (p. 293 ;) and again, "Hail, Mary, Lady and Miſtreſs of the world, *to whom all power has been given both in heaven and earth*," (p. 206.)

After quoting other blaſphemous prayers to the Virgin Mary commonly uſed in England, Dr. Phillpotts continues, and every devout mind muſt ſhare his honeſt indignation :—

"I will not wound the feelings of my Proteſtant readers by producing any more of this diſguſting, this polluting traſh. But I call on Dr. Kelly, or any other apologiſt of your Church; above all, on Dr. Milner, by whoſe authority theſe abominations profeſs to be ſet forth for the edification of the 'Faithful of the Midland Diſtrict,' to produce, if he can, ſome lurking prepoſition, as in the former inſtance—ſome potent particle, which may reſcue thoſe who uſe them, and eſpecially the Apoſtolic Vicar, who has ſanctioned the uſe of them, from the charge of direct and moſt atrocious blaſphemy."

Paſſing from this ſubject, he goes on to diſcuſs the honour paid to images. Dr. Kelly had wiſhed to make it appear that Roman Catholics attached no importance to them beyond their uſe in reminding the faithful of circumſtances connected with religious duties. But if the Committee of the Houſe of Commons was ſatisfied with this explanation, the humour

* "Devotion to the Sacred Heart of the Bleſſed Virgin Mary. By R. R. John Milner, Biſhop of Caſtalaba, Vicar Apoſtolic. Keating and Brown, 1821."

of Dr. Phillpotts is not ſo indulgent towards the apologetic prelate. Accordingly, he brings forward the caſe of *miraculous* images,—"images which, as having at ſome time been the inſtruments, or media, of ſupernatural effects, are expected to repeat their prodigies, and are reſorted to with much confidence and veneration accordingly." Theſe wonder-working images are by no means uncommon in Roman Catholic countries, and an edifying volume might be compiled in atteſtation of the prodigies which they have effected.

The ſtory of the Bambino of Ara Celi—which, having been taken away from its niche to perform the office of Lucina to a lady of quality, arrived at the door of the church in the middle of the night, ſignifying its preſence by a tremendous knocking, and, on being admitted, went ſtraight to its accuſtomed place, throwing down an intruſive image—is too well known to need repeating. But, perhaps, even this marvellous and pugnacious image is ſurpaſſed by the ſtatue of the *Winking Virgin* in the Cathedral of Ancona, in honour of which a pious fraternity was inſtituted by the Pope, under the name of the "Sons and Daughters of Mary." Not that this was by any means a ſolitary inſtance of miraculous power; for—

"It would be great injuſtice to the other images of the Virgin Mary in Italy," ſays Dr. Phillpotts, "to ſuppoſe that they continued idle, while their illuſtrious ſiſter at Ancona was thus delighting the good people of that city. Far from it: at Rome, at Civita Vecchia, at Macerata, at Aſcoli, at Fraſcati, &c. &c., the Madonnas were everywhere on the alert, and there was an abſolute rivalry and emulation in winking among theſe holy images."

He then proceeds to quote the official memoirs of miraculous images, of which it is hard to ſay whether they are moſt ludicrous or profane. Dr. Phillpotts finds in theſe ſtories a congenial field for the exerciſe of his wit, and if he indulges in pleaſantry at the expenſe of weeping and perſpiring images, it certainly is no more than they deſerve. The painful part of the whole is that theſe monſtrous legends are no mere vulgar ſuperſtition, but are extracted from legal proceſſes inſtituted in Eccleſiaſtical Courts, and duly certified as true. No wonder that Dr. Kelly was aſhamed of them. We may pardon him for trying to get rid of them, even at the riſk of bringing down upon himſelf the avenging laſh of Dr. Phillpotts.

The ſubject of Indulgences is next brought forward. The Roman Catholic prelates had endeavoured to ſhow that they did not relate to a future ſtate, but (in the words of Dr. Murray, Roman Catholic Archbiſhop of Dublin) only to "a certain portion of the temporal puniſhment due to ſin." This was, in effect, ſinking all idea of purgatory, and reducing the doctrine to the leaſt offenſive ſhape.

"It would be intereſting to know," ſays Dr. Phillpotts, "what that 'certain portion' is; and it would be ſtill more intereſting to learn what courſe the Church of Rome would take with the Archbiſhop, if, inſtead of making this convenient inſinuation before an aſſembly of heretics, he ſhould venture to deny categorically, before the world, the power of the Church to grant a full remiſſion of all the temporal puniſhment of ſin in ſuch caſes."

He then recounts the unworthy expedients to which

Dr. Murray, and his brother prelates, ſcrupled not to reſort, in order to ſoften down the harſhneſs of the doctrine of Indulgences, which, when ſtated in its bare form, muſt ever be repulſive to Engliſh ears. Their examination before the Committee of the Lords is an example of evaſion and diſingenuous dealing, which may ſpeak highly for the acuteneſs of their intellects, but which will not be loſt upon thoſe whoſe buſineſs lies with the Roman controverſy. Theſe gentlemen are very eccleſiaſtical chameleons; firſt one colour, then another, and, occaſionally, all colours at the ſame time.

One of their many variations of hue muſt ſuffice. Dr. Murray had ſtated, that "Indulgences can be applied to ſouls in purgatory only by way of ſuffrage, that is, as a prayer;" and had ſpoken of this as "our belief," "our doctrine." The attempt to confound "ſuffrage" with "prayer" is more ingenious, perhaps, than honeſt; but the expreſſions, "our belief," "our doctrine," as applied to the ſtatement above, involve, unhappily, ſomething more than a mere exerciſe of ingenuity.

"If," ſays Dr. Phillpotts, "they mean merely to expreſs, each in the fulneſs of epiſcopal authority, that ſuch is the belief or doctrine of himſelf individually, it is clear they are cajoling the Committee, whoſe inquiry is ſolely directed to the belief and doctrine of their *Church*. If, on the other hand, they mean, as it would be reaſonable to ſuppoſe, the belief and doctrine of their Church, they affirm what they cannot but know to be utterly unfounded. For they muſt know perfectly well that the opinion, which they aſcribe to

their Church, would be held in abomination by the great majority of Divines who have treated on the ſubject, and is in direct contradiction to the Papal bulls by which Indulgences are granted."*

The length of time for which indulgences are available next comes under conſideration. Upon this point the Roman Catholic biſhops appeared ſuſpiciouſly ill-informed. The utmoſt that could be extracted from them was, that no indulgence was recognized "for a period beyond that of ſeven years." Without ſtopping to refreſh the failing memory of theſe worthy prelates, by a reference to the authoritative writings of their own Church, Dr. Phillpotts mentions a circumſtance which, if it fails of conveying all the edification it is capable of, is yet very appoſite to the matter in hand:—

"I have now before me an engraved portrait of the Virgin Mary's foot, taken from her true ſhoe, recently publiſhed in Italy, conferring, by authority of John XXII. and Clement VIII, an Indulgence of three hundred years on all who ſhall kiſs it three times, and recite thereupon three Ave Marias."

Any one in poſſeſſion of this precious relic might, with the aid of the winking image, feel tolerably eaſy about purgatory, even though the Iriſh prelates cannot grant him relief for more than ſeven years.

The next ſubject on which Dr. Phillpotts remarks is Confeſſion, as practiſed in the Engliſh and Roman

* For the real doctrine of Indulgences, as taught by the Roman Church, ſee Dr. Phillpotts' firſt Letter to Mr. Butler, page 106.

Churches; but, as this ſubject will be fully handled hereafter,* for the purpoſe of ſhowing the maturer ſentiments of Dr. Phillpotts on this important doctrine, it will not be neceſſary to enter upon it now, any further than to ſhow the evil uſe to which it is ſometimes turned by Roman prieſts. In regard to the much-vaunted ſecreſy of the confeſſional, it deſerves to be known that their practice has not always kept pace with their theory. Dr. Phillpotts cites, on the authority of the hiſtorian Du Thou, a flagrant example of this—no leſs a perſonage than Pope Sixtus V, who—

"After he had ſucceeded to the Papal chair, availed himſelf, in many caſes, of the ſecrets formerly confided to him in the confeſſional, at a time when his great ſanctity had rendered him the moſt popular confeſſor in Rome. He kept a regiſter of theſe matters, and not only brought many perſons to juſtice for crimes which had been ſo communicated to himſelf, but he likewiſe ſent for the oldeſt confeſſors, and required them to communicate to him whatever crimes had been confeſſed to them. Several complied, and Leti juſtifies the proceeding by the neceſſity of the times."

The prohibition of the free uſe of the Scriptures by the Roman Catholics is next conſidered. Dr. Doyle had taken great credit to himſelf and his brethren that ſeven editions of the Bible had been publiſhed in Ireland ſince the invention of printing. It is eaſy enough to print books, but if they are not allowed to be read when they are printed, it comes to much the ſame as if they had never been printed at all. And this is how

* See firſt Letter to Mr. Butler, page 108.

the Bible fared in Ireland; for, by way of reply to this ſelf-glorification of the Roman Catholic prelates, Dr. Phillpotts quotes the fourth rule *De Libris prohibitis*, "approved and confirmed by Pius IV," which provides that whoſoever ſhall preſume to read bibles (tranſlated, be it obſerved, by *Roman Catholic authors*) without the poſſeſſion of a faculty in writing, ſhall not be capable of receiving abſolution of their ſins, unleſs they have firſt given up their bibles to the ordinary. If, then, the ſeven editions had been multiplied to ſeventy, it would not have made much difference, as long as the Pope remained in ſuch a mind. But this was the reſtriction of a darker age, it may be thought. We would thankfully admit the plea, had not Pope Leo XII, no later than 1824, in an encyclical letter, deſcribed the Holy Scriptures, tranſlated into the vulgar tongue, as "*poiſonous paſtures*," and declared that "if the ſacred Scriptures be everywhere indiſcriminately publiſhed, more evil than advantage will ariſe thence, on account of the raſhneſs of men." Terrible as is this language, it is only the reproduction of the blaſphemies of bygone days. "Vain is the labour which is ſpent on Holy Scripture," is the language of Cardinal Hoſius, a papal legate at the Council of Trent; "it is but a creature, and a beggarly element." Another member of the ſame council declares that it "is only lifeleſs ink;" while a writer of eminence ſhrinks not from calling it "a noſe of wax, which allows itſelf to be pulled this way and that, and to be moulded into any form you pleaſe." But fearful as was the language of Leo, it was

endorſed by the Iriſh prelates, as in duty bound, who averred, "In this ſentiment of our head and chief we fully concur." Is it too much, after this, to ſay, with an eminent living divine,* "Scripture is to be treated as its Divine Author was by the ſervants of Caiaphas, and the ſoldiers of Pilate—firſt blindfolded, buffeted, and ſpit upon, and then put to death."

The power of the Pope is next conſidered, as Dr. Doyle had declared on oath that it was the doctrine of his Church that "the Popes have no right whatever to interfere with the temporal ſovereignties or rights of kings or princes." To any one but moderately acquainted with hiſtory this aſſertion muſt be ſtartling. Great, indeed, muſt have been Dr. Doyle's effrontery to have ventured upon ſuch a ſtatement in the preſence of educated Engliſh gentlemen, and greater far muſt have been his credulity, if he could expect that it ſhould be believed. Rightly enough does Dr. Phillpotts ſay:—

"There are ſome poſitions which it is difficult to refute, without appearing to depart from the reſpect which an author ought always to feel for the underſtanding and information of his readers: and if there ever was an inſtance of this kind, the preſent may pre-eminently claim to be ſo regarded."

Without taking advantage, then, of the enlarged term of nine centuries, during which, if Dr. Doyle was to be believed, the Popes had never exerciſed the power ſo ſtrangely imputed to them, and ſuppoſing that ſuch perſonages as Innocent III, Gregory VII, and Boniface VIII, had never exiſted, Dr. Phillpotts limits his

* Dr. Wordſworth: Letters to M. Gondon.

inquiry to three centuries, commencing with the Bull *in Cœna Domini*, put forth by Paul III. in 1536, and ending with the excommunication of Buonaparte by Pius VII. in 1809. The reſult of this inveſtigation it is needleſs to dwell upon; neither is it pleaſant to pauſe longer than is neceſſary to contemplate the woe-begone figure of Dr. Doyle, as he ſtrives to ſhelter himſelf from the mercileſs pelting of his adverſary's facts.

That the power of the Pope, as far as moſt European nations are concerned, is at the preſent time little more than a name, will be readily admitted; but it is no leſs true that this name, empty as it is, may produce the moſt terrible reſults in minds which are debaſed by crime or enervated by ſuperſtition. To ſuch as theſe the Papacy of the preſent day is all that it was in the days of Hildebrand; and even though the Holy Father may be a priſoner in the hands of the "eldeſt ſon of the Church," he has but to ſpeak the word, and the kings of the earth will come to do him homage. Little of this feeling may ſurvive in Italy, but it burns with a brightneſs, which centuries of bloodſhed have not been able to quench, in many an Iriſh cabin. Harmleſs, therefore, as the pretenſions of the Pope may be in more enlightened countries, among the Roman Catholic population of Ireland they are full of peril.

"Its truth," ſays Dr. Phillpotts, "is written in characters of blood in the hiſtory of Ireland itſelf: and be it always remembered, that while the lights and intelligence of other nations have been incalculably progreſſive, the Iriſh (the Roman Catholic Iriſh multitude I mean), continue nearly

what they were in the middle of the ſeventeenth century, in the days of Ormond and Rinuccini. That multitude could again be ſtimulated by an ambitious prieſthood to defeat the honeſt efforts of the nobles and the gentry of the land, whoſe wiſhes and whoſe views muſt always ultimately be for peace—and to re-plunge their country in all the horrors of civil war."

The next ſubject referred to is the interference of Government in the appointment of Iriſh Roman Catholic Biſhops. Although the Pope himſelf had, in the year 1815, given his expreſs and formal aſſent to a propoſal of this deſcription, yet Dr. Doyle had the hardihood to affirm that it would be inconſiſtent with the diſcipline of the Roman Catholic Church to admit any interference, direct or indirect, of the Proteſtant Sovereign of this country in the appointment of Roman Catholic Biſhops in Ireland. The prevarication of this prelate is an edifying ſtudy to thoſe who may have the curioſity to ſee what latitude is allowed to Roman Catholic controverſialiſts, when the intereſt of their Church is at ſtake. The Committee of both Houſes find it impoſſible to get a ſtraightforward anſwer from him. He unites all the ſlipperineſs of the eel to the wilineſs of the ſerpent. It is only when he falls into the hands of Dr. Phillpotts that he finds there is no eſcape, and then the real value of his aſſertions are ſeen. All his ſophiſtry avails him not. His moſt ſpecious arguments crumble into duſt at the touch of his remorſeleſs antagoniſt. He ſtands forth convicted of a wilful attempt to diſguiſe, if not to pervert, the truth.

The oath taken by Iriſh Roman Catholic Biſhops to

the Pope next comes under conſideration.* Dr. Phillpotts ſhows that it is of a feudal character, and "had its origin not merely in the feudal times, but in the pretenſions of the Pope to be the ſupreme feudal chief, of whom all temporal princes, even emperors and kings, were feudatories and vaſſals." It was originally of much ſmaller dimenſions than at preſent; but if it has developed, the theory of it is ſtill the ſame—to give to the Pope that dominion over the nations of the earth which has been ſo arrogantly claimed and ſo mercileſsly uſed. Pius V, as is well known, was canonized for the vigour which he diſplayed in the exerciſe of this power; but Dr. Phillpotts cites—

"A name far more eminent than his, the noted Hildebrand—that Gregory VII. who claimed the univerſal dominion of the world as an appendage of his See—whoſe life was one unceaſing effort to realize this claim—who was as little turned aſide from the proſecution of his holy purpoſe by conſiderations of his own ſafety, as by a regard for the peace and tranquillity of mankind—that Gregory of whom Dr. Doyle himſelf ſays, that the unhappy Rodolph (who had been ſet up by him to fill the Imperial throne, of which he had deprived the lawful owner), when about to pay the forfeit of his crime, 'confeſſed that, induced thereto by the Pope, he had rebelled againſt his Sovereign'—that Gregory of whom Dr. Doyle further tells us, on the authority of the chronicler Sigebert, that 'when he found himſelf near his end, he acknowledged that *he had, at the inſtigation of the devil, ſtirred up enmities and ſtrife amongſt mankind*, and ſent to the Emperor to ſolicit his forgiveneſs—that very Gregory of whom the moſt charitable judgment which can be paſſed

* For the terms of this oath, ſee Appendix B.

is that he was a crack-brained fanatic—was, in the 18th century, by Benedict XIII. placed among the ſaints!—a holy ſervice was appointed to his honour—all good Catholics were called upon to bend the knee in adoration to him—and the worſhip of God Himſelf was profaned by thanking Him for giving this firebrand to the world, and by *praying* that *his example might ſtill edify* and ſtrengthen the Church."

Moſt people will probably think that Dr. Phillpotts has done but ſcanty juſtice to the memory of one of the greateſt of thoſe whoever wore the triple crown. That Hildebrand lived only to make the Roman Pontiff the ſovereign of the world may be true enough; but no one who has watched the inflexible determination with which he followed up his purpoſe, and the ſkill with which he diſpoſed of his reſources, can fairly call him "a crack-brained fanatic." Here, then, a pardonable zeal for his cauſe has carried Dr. Phillpotts too far. The account alſo which he gives of Hildebrand ſending to the Emperor to ſue for his forgiveneſs differs from the commonly-received verſion, which repreſents him as abſolving and bleſſing his enemies, with the reſolute exceptions of the Emperor and the Anti-Pope.

The next ſubject conſidered is the Third Canon of the Fourth Council of Lateran, which enforces on the faithful the duty of exterminating heretics. It was natural enough that, in their preſent yielding temper, the Roman Catholic prelates ſhould deſire to diſown the obligation of ſuch a canon, particularly in a country where the probability of its ever being carried

into effect happened to be very remote. But in their exceſſive deſire to pleaſe they involved themſelves in a ſerious difficulty. Not content with repudiating the doctrine laid down in the Canon, they threw diſcredit upon the Canon itſelf, and aſſerted roundly that it was not to be found in the Acts of the Council at all. This was taking the bull by the horns with a vengeance. They had calculated, doubtleſs, upon no one being at the pains to refer to the Acts of the Council, and expoſe their audacity. In this caſe all would have been well. But Dr. Phillpotts had had too much experience of the amount of credit due to the ſtatements of theſe complaiſant prelates to truſt them over much; and ſo, having examined every printed edition of the Council's Acts, he tells them plainly that the repudiated Canon appears *in every one of them*, and that there does not exiſt the ſlighteſt intimation of any doubt as to its being genuine. This announcement muſt have ſtartled Dr. Doyle and his brethren, if they had hoped to eſcape detection; and, if anything was wanting to complete their diſcomfiture, it was furniſhed by the maſterly way in which Dr. Phillpotts expoſed their blunders and miſ-ſtatements, weaving together ſuch a chain of condemnatory evidence as it would have been hopeleſs to attempt to break.

The next matter referred to is the proceeding of the Council of Conſtance againſt John Hus, which Dr. Phillpotts rightly ſtigmatizes as a "cruel and treacherous murder." And indeed it can be fairly called by

no lighter name. The ſtory is well known. Having been charged with holding the doctrines of Wicliffe, Hus was cited, in 1414, to appear before the Council of Conſtance. Having obtained from the Emperor a ſafe-conduct to and from that city, he preſented himſelf before the Council.

Vain was it for Dr. Murray to aſſure the Committee of the Commons that the ſafe-conduct given to Hus by the Emperor was nothing more than *a travelling paſſport*, ſuch as is commonly uſed on the Continent at the preſent day. The terms of the document forbid any ſuch conſtruction as this; and the diſtreſs of the Emperor Sigiſmund when he heard of the condemnation of Hus,—a diſtreſs which was only appeaſed by the aſſurance that the decree of the Council was ſuperior to his own authority,—can only be reconciled on the ſuppoſition that he believed that his honour had been forfeited. The attempt alſo of Dr. Doyle to ſhow that the city of Conſtance was wholly independent of the Emperor, and that, conſequently, he was not anſwerable for the act of its magiſtrates in burning Hus, is a miſerable piece of ſhuffling—too pitiful, indeed, to find place anywhere but in a cauſe that was already deſperate. So far from the city being "free," in any ſenſe, to exclude the authority of the Emperor, Dr. Phillpotts ſhows, on the authority of Nauclerus, a chronicler dear to Dr. Doyle himſelf, that the circumſtance of Conſtance being fixed upon as the ſeat of the Council gave great delight to the Emperor, "*becauſe it was a city ſubject to him*," while Pope John

XXIII. was correſpondingly depreſſed at the ſelection; as well he might be, if he had the power of predicting that the Council would decree that a General Council was ſuperior to the ſucceſſor of S. Peter, while it depoſed one of the rival Popes, compelled the other to reſign, and elected a freſh Pope.

As a further example of the accuracy of Dr. Doyle's aſſertion it may be remarked that, in the courſe of a ſermon preached before the Council by the Biſhop of Lodi, the Emperor was ſpecially invoked to "deſtroy all hereſies and errors;" and, *above all, this obſtinate heretic:*" (Hus.) That this might only have been a ſpecimen of ſomewhat fervid pulpit rhetoric it would be pleaſing to believe, were it not for the ſequel of the ſermon, when we find Hus delivered by the Council to Sigiſmund, while he in turn hands him over to Louis, Elector of Bavaria, who in due courſe cauſes him to be burnt, much to the edification of the faithful, and the terror of all unbelievers. Whether Rome thinks it needful to keep faith with heretics it would be waſte of time to inquire, as long as the Acts of the Council of Conſtance are acknowledged by that Church, otherwiſe a ſtartling commentary on her practice might be collected from the writings of Hoſius, Simanca, and Albert Pighius.

The fate of Hus leads Dr. Phillpotts on naturally to examine the doctrine of excluſive ſalvation in the Church of Rome. And here he ſays truly enough:—

"Even the claims of its ſpiritual head to a right of interference, whether direct or indirect, in the temporal concerns

of states (if they were universally acknowledged), would be of far less practical moment, than the doctrine which excludes from salvation all those who dare to separate themselves from the Roman Church."

That this was perceived by the Roman Catholic prelates themselves is plain from their endeavours to soften the obnoxious tenet. But here, at least, their sophistry served them not.

"It stands," says Dr. Phillpotts, "in the very front of their whole system; nay, it makes a part of every other dogma; for all are commended to the acceptance of the faithful under the awful sanction of an anathema if they be rejected."

Dr. Doyle having recriminated on the Church of England, and asserted that she taught the same exclusive doctrine in the 18th Article, an opportunity is afforded to Dr. Phillpotts of vindicating and explaining that Article. After quoting it,* he proceeds:—

"In other words, those are to be accursed who presume to say that the great work of redemption by Christ was not necessary for the salvation of man; but that men of any religious persuasion, if they live according to the law or sect which they profess, and to mere natural light, shall be saved *thereby*; whereas Holy Scripture tells us that all who shall be saved, of whatever sect or persuasion they may be, will

* "Article XVIII. *Of obtaining Salvation only by the Name of Christ.*—They also are to be had accursed that presume to say that every man shall be saved *by* the law or sect which he professeth, so that he be diligent to frame his life according to that law, and the light of nature. For Holy Scripture doth set out to us only the Name of Jesus Christ, whereby men must be saved."

be ſaved only by the Name of Jeſus Chriſt—only by reaſon of Him and His merits. That this is, in one ſenſe, a doctrine of excluſive ſalvation, I am quite ready to admit; but let us ſee of what it is excluſive,—it is not of the ſubjects of ſalvation, for it abſolutely excludes none; but only of means, or authors, of ſalvation. In ſhort, it does no more nor leſs than *exclude all other Saviours than our Lord Jeſus Chriſt*. Here then the whole parallel between the Churches of Rome and England, in reſpect to the dogma of excluſive ſalvation, as far as our Article is concerned, falls abſolutely to nothing."

Whether members of the Roman Church, while maintaining the doctrine of excluſive ſalvation, can be ſafely entruſted with a ſhare of legiſlative power among a people the majority of whom ſhe regards as out of the pale of ſalvation, is a queſtion about which no ſober man will doubt. The marvel is that the claim ſhould ever have been ſeriouſly entertained. As if it were not enough that Rome ſhould have pronounced the Engliſh Church to be no true part of the Church of Chriſt, but abandoned to the guidance of the devil in this world, and to eternal perdition in the next, ſhe muſt alſo claim as *a right* to legiſlate for that Church which ſhe denounces, and for that State of which, if her allegiance to the Pope be more than a name, ſhe is a faithleſs member.

The pretenſions of the Roman Church are thus ſet forth by Dr. Doyle himſelf:*—

"'It *is the worſt of hereſy*, and a virtual apoſtaſy from the Chriſtian religion *to aſſert that* the gates of hell have ever

* "Addreſs to Clergy of Carlow, Auguſt the 28th, 1825."

prevailed againſt this Church—that is, that *the paſtors and people who compoſe it, have ever, at any period, even for a ſingle hour, profeſſed error.*' A ſentence," ſays Dr. Phillpotts, "by which every national Church, every denomination of Chriſtians throughout the world, which differs from Rome in the minuteſt point of faith, is pronounced to be in a ſtate of the moſt damnable hereſy."

The members of the Engliſh Church, then, in the eyes of Rome, are in evil caſe; nor are matters much improved when the ſpecious plea of "invincible ignorance" is ſet up on their behalf. For, although Baptiſm cleanſes original ſin, and all actual ſin committed before that holy Sacrament, yet every mortal ſin committed after Baptiſm can only be remitted (according to the Church of Rome) in the ſacrament of penance.

"Here then," ſays Dr. Phillpotts, "is the amount of the utmoſt conceſſion which can be made, even to thoſe whoſe involuntary error, and invincible ignorance keep them out of the pale of the Church of Rome. They will be ſaved—if they do not commit any actual ſin. But if they ſin, for *them* there is no remiſſion—the Blood of Chriſt has been ſhed in vain—the Goſpel of Chriſt has been preached in vain. If they ſin, they have no ſhare in the common bleſſing promiſed to Chriſtian ſinners. If they ſin, they have *not* 'an Advocate with the Father'—'Jeſus Chriſt the Righteous is *not* the Propitiation for *their* ſins.' They have fallen from grace given in Baptiſm, and to them no 'place of repentance' is left, though they ſeek it with tears of anguiſh, and 'groans which cannot be uttered.' Their 'broken and contrite hearts'—the Church of Rome hath ſaid (and who ſhall dare to gainſay it?)—'their broken and contrite hearts, O Lord, Thou *ſhalt* deſpiſe.'"

Dr. Phillpotts then proceeds to enumerate certain caſes in which Rome delights to diſplay her overbearing ſpirit, commencing with the admonition of the rubric to parents "not to truſt their children to be in any wiſe ſuckled or nurſed by heretic women," down to the refuſal of Chriſtian burial (in countries where it may ſafely be done) to heretic corpſes. But this is not all.

"The ſame odious ſpirit," ſays Dr. Phillpotts, "which makes it a ſubject of grave precaution that hereſy be not ſucked in with the nurſe's milk, and which violates the decencies of our common nature in refuſing the protection even of a ſecure grave to the bones of a deceaſed Proteſtant, has intruded itſelf into the deareſt connections of domeſtic life, and ſought to make the marriage-bed a ſcene of diſcord and polemic altercation."

Then follows a reſcript of the Pope, publiſhed in 1825, "while the Committee of the Houſe of Commons was fondly catching the honeyed dew of peace and brotherly love, as it trickled from the guileleſs lips of Drs. Doyle, Murray, Kelly, and Magaurin;" which, if obeyed, would have the effect of introducing diſorder into every home where the huſband or wife chanced to be a Roman Catholic.

With ſuch terrible examples of the intolerance of Rome before our eyes, it is hard to account for the infatuation which could plead for the admiſſion of its children to a ſeat in the Legiſlature. Dr. Phillpotts brings the queſtion to its legitimate iſſue when he ſays:—

"If theſe tenets be not eſſential, let the authority, be it what it may, which can declare what is or is not eſſential, renounce and diſclaim them. If this be not done, no adequate ſecurity can be given to any Proteſtant ſtate againſt the arrogant pretenſions, the rancorous malignity, of their Church itſelf. If this be not done, let thoſe among them (and there are many ſuch) who cheriſh the feelings of Chriſtian charity, and reſpect the rights of other Chriſtians, either emancipate themſelves from the bonds of religious tyranny, or candidly acknowledge that it is not the Crown, it is not the Heir to the Crown, it is not the Houſe of Lords, it is not the people of England—it is the Pope, it is the Church of Rome itſelf, which bars the entrance of the Britiſh Senate, and condemns them to a ſtate of mortifying but neceſſary excluſion."

Dr. Doyle next receives ſevere chaſtiſement at the hands of Dr. Phillpotts for the ſhameleſs way in which he contradicted himſelf in relation to Paſtorini's prophecies, and the queſtion of Roman Catholic Emancipation. That diſtinguiſhed prelate makes but a ſorry figure, it muſt be confeſſed, and it is hard to ſay whether he moſt moves our laughter or contempt. His ſyſtem of ſcheming, ſubterfuge, and evaſion culminates in the ſtatement, pronounced, it is to be hoped, with gravity ſuited to its ſincerity, that, if ever he took part in political diſcuſſions, *it was with great reluctance.* If anything could have awakened the confiding Committee of the Houſe of Commons to a ſenſe of the character and motives of the man with whom they had to deal, it muſt have been this perilous aſſertion. That I. K. L.* ſhould deſire to forget his

* The initials under which Dr. Doyle wrote—James Kildare and Leighlin.

ſedition was reaſonable enough; but that any one ſhould believe that this political firebrand had been dragged an unwilling victim into conflicts which his peaceful ſoul abhorred, was as unlikely as that they ſhould learn to venerate the lying wonders of his Church.

"Yet this," ſays Dr. Phillpotts, in concluſion, "is Dr. Doyle! This is, or lately was, (for theſe glories are not often very long-lived,) the idol of the liberal party in our Engliſh Houſe of Commons! one whom ſtateſmen have not ſcrupled to laud in good ſet ſentences as a paragon of talent, and the very mirror of honeſty! In exhibiting him in his real colours, in holding him forth in his own recorded words and ſentiments, to the indignation of every man, to whom truth and plain dealing are not empty names, I have performed a duty painful and diſguſting to my own feelings; a duty, by the diſcharge of which I may perhaps draw down upon myſelf the ribaldry of Scotch critics, the revilings of Iriſh orators, the ſneers of Engliſh liberals, and the half-vented rebukes of the friends of conciliation. Be it ſo! From all theſe cenſors I appeal to the unbiaſſed judgment and honeſt ſympathy of the Britiſh people; and if my cauſe be as good, as my own conſcience tells me it is, to that tribunal I ſhall not appeal in vain."

CHAPTER X.

Roman Catholic Emancipation. Importance of the Queſtion. Reaſons for Penal Enactments againſt Roman Catholics. An Enumeration of them. Their Harſhneſs. Earlieſt Acts of Conceſſion. How received by the Roman Catholics. The Petition of 1789. *Remarks upon it. Mr. Mitford's Motion. Conduct of Mr. Pitt and Mr. Fox. The former favourable to Conceſſion with adequate Security. Conduct of Roman Catholics. Lord Fitz-William. Hopes entertained by them from his Appointment to Lord Lieutenancy of Ireland. Hoſtility of the King. Recall of Lord Fitz-William. Popular Excitement. The College of Maynooth founded. The Union of Ireland with Great Britain. An Expectation that further Conceſſions would be granted to the Roman Catholics. Attitude of the King. Diſſolution of Mr. Pitt's Miniſtry. Miniſters charged with having cauſed the King's Affliction. Mr. Pitt's Promiſe. Lord Grenville eſpouſes the Cauſe of Roman Catholic Relief. The Opinion of the Country againſt it. Mr. Grattan. A further Grant to Maynooth. Mr. Grattan's Motion. The National Repreſentative Aſſembly in Dublin ſuppreſſed by Government. Another Motion by Mr. Grattan. Hopes of the Roman Catholics. Acceſſion of Mr. Canning and Lord Welleſley to their Party. A Motion for the early Conſideration of their Claims carried. The Debate of the 25th of February,* 1813. *The Propoſed Conceſſions ill received by the Roman Catholics. Letter of the Roman Catholic Prelates aſſembled in Dublin. Paſſing of the Duke of Norfolk's Bill. Violence of the Roman Catholic Board in Ireland. Mr. O'Connell. Motions in Parliament. Excited State of Ireland. Sir Robert Inglis on the Danger of further Conceſſions to the Roman Catholics. Further Motions in Parliament. Supported by Lord Caſtlereagh, and oppoſed by Mr. Peel. Earl Grey's Bill to relieve Roman Catholics from taking the Declaratory Oaths. Death of Mr. Grattan. Irreparable Loſs to the Roman Catholic Party.*

Bill for Roman Catholic Relief carried in the Houſe of Commons. Thrown out in Houſe of Lords. Outrages and Famine in Ireland. Mr. Canning's Bill for Conceſſion carried in the Houſe of Commons, but rejected by the Lords. Continuation of Diſturbances in Ireland. Further Motions in Parliament. The Roman Catholic Aſſociation in Ireland referred to in the King's Speech. Mr. Goulburn's Bill for its Suppreſſion. Mr. Brougham's Defence of it. The Motion carried, and the Bill paſſed by both Houſes. Further Motions in Parliament. The Declaration of the Duke of York againſt the Roman Catholics. Opinion of Lord Eldon. Strong Feeling in the Country againſt further Conceſſion. Sir F. Burdett's Motion in 1827.

R. PHILLPOTTS had now fairly embarked in the Roman Catholic queſtion; and it was in February of the next year, 1827, that he publiſhed the firſt of his celebrated Letters to Mr. Canning on the propoſed meaſure of relief. But, before conſidering the part which he played in a conteſt the moſt important of any that have agitated the country ſince the Revolution, it will be well to take a general ſurvey of the political condition of the Roman Catholics, and examine the various efforts made on their behalf, terminating in the Relief Bill of 1829. If it be pleaded that ſuch a ſurvey forms no part of the *Life* of Dr. Phillpotts, it muſt be remembered that this work is alſo a hiſtory of his *Times*, and that no ſuch work would be complete without giving ſomething like a comprehenſive view of this momentous ſtruggle.* The various ſtages of the meaſure are ſo little known to the majority of Engliſhmen, that,

* A ſimilar mode of treatment will be adopted further on, in reference to the "Oxford Movement."

even at the riſk of a certain tedioufneſs inſeparable from an examination of details, it is believed that a ſervice will be rendered by ſhowing how the queſtion of Roman Catholic relief ſtruggled on from ſmall beginnings till it aſſumed the proportions of one of the moſt gigantic evils which it was ever the lot of the country to confront.

And here it may be ſaid, generally, that in every reign, except that of James II, ſome freſh ſeverity had been enacted againſt the Roman Catholics. A thoughtful writer ſupplies us with reaſons for theſe acts of legiſlation :—

"The ſtatutes againſt Popery in England and Ireland were the reſtrictions, not of a religious faith, but of a political faction, enacted not againſt diſſidents from the Church of England, but againſt rebellious partiſans of the Houſe of Stuart. The queſtion was one, not of the Liturgy, but of the ſword. The Stuarts loſt the day. They were exiled; and the ſoldiers whom they left behind were diſabled by the proviſions of law from again ſtirring up rebellion, and again ſhedding the blood of freemen in the cauſe of tyrants and ſlaves."*

So numerous were theſe ſtatutes that no leſs than ſeventy pages are occupied in Burn's *Eccleſiaſtical Law* with an enumeration of them.

Popiſh prieſts who ſhould officiate in Romiſh churches or chapels were declared guilty of felony, if foreigners, and of high treaſon, if natives. Rewards were payable on the diſcovery of popiſh clergy—50*l.* for diſcover-

* Croly : "Life of George IV," p. 476.

ing a biſhop, 20*l.* for a prieſt, and 10*l.* for a popiſh-uſher. No Proteſtant was allowed to marry a Papiſt. No Papiſt could purchaſe land, or take a leaſe for more than thirty-one years; and if the profits of the land ſo leaſed amounted to more than a certain ſum, the property was to paſs to the firſt Proteſtant diſcoverer. No Papiſt could be in a line of entail, but the eſtate was to paſs on to the next Proteſtant relation. No Papiſt could hold any office, civil or military, or dwell in certain ſpecified towns, or vote at elections. The wives of Papiſts were to have an increaſe of their jointure on converſion. Two juſtices were empowered to compel any Papiſt, above eighteen years of age, to diſcover every particular which had come to his knowledge reſpecting popiſh prieſts, celebration of Maſs, or popiſh ſchools, under penalty of impriſonment for a year if he refuſed. Nobody was allowed to hold property in truſt for a Roman Catholic. In every caſe growing out of the penal ſtatutes the juries were to be excluſively Proteſtant. Papiſts in towns were to provide Proteſtant watchmen, and were incapacitated from voting at veſtries. They were alſo incapable of being called to the bar, and barriſters or ſolicitors marrying Papiſts were conſidered Papiſts, and were liable to all the conſequent penalties. Perſons robbed by privateers during war with a popiſh prince were indemnified by money levied upon Roman Catholics only. Any prieſt found guilty of celebrating a marriage between a Proteſtant and a Roman Catholic was to be hanged.

Such is an outline of the penal code to which a portion of our fellow-ſubjects was liable. But, neceſſary as theſe enactments may have been, they were certainly hardſhips and diſqualifications which nothing but the moſt imperious neceſſity could juſtify. They were deviſed to meet a preſſing evil; and, as that evil paſſed away, moderate men began to feel that they might be relaxed without danger to the State. It is true that many of theſe Acts had for a long time remained a dead letter; but they were ſtill to be found in the ſtatute book, and might be enforced, even at the riſk of ſowing the ſeeds of family diſcord, and looſening the very frame-work of ſociety itſelf.

Among the earlieſt Acts of legiſlative conceſſion may be ranked that of 1778, when a bill for relieving Roman Catholics from the operation of many ſevere ſtatutes was introduced, and paſſed with little oppoſition. But where a little is yielded, it is invariably made a ſtepping-ſtone for further demands. This was ſpecially the caſe with the Roman Catholics; and, in the year 1781, an eminent member of that body made no ſcruple to ſay* that "the boaſted excellencies of the Britiſh Conſtitution are nothing to me, who am deprived of the common rights of humanity; they only ſerve to make my condition more irkſome, and to *create a reſtleſs deſire of change and revolutions.*"

In May, 1789, the Engliſh Catholic *Diſſenters* (for

* In a pamphlet entitled, "The State and Behaviour of Engliſh Catholics from the Reformation to the Year 1781."

that was the ſomewhat doubtful title under which they now figured) preſented a petition to the Houſe of Commons, praying to be relieved from the diſabilities under which they laboured. The petition was drawn up with great care and ingenuity. They acknowledged no infallibility in the Pope, and affected to pay no great reverence to the decrees of councils. King George was their ſole lord and maſter, and no Pope or council could depoſe him. It was altogether ſuch a document as would drive the Wiſemans and MacHales of the preſent day to frenzy, and is not without its inſtruction, as ſhowing the elaſticity of the Roman ſyſtem, in ſpite of its vaunted unchangeableneſs, and how well that Church knows how to relax or tighten its pretenſions according to the temper of the times. This petition was received with conſiderable favour; and, early in the ſeſſion of 1791, Mr. Mitford (afterwards Lord Redeſdale) moved for leave to bring in a bill "to relieve, upon condition, and under certain reſtrictions, perſons called Proteſting Catholic Diſſenters from certain penalties and diſabilities to which papiſts, or perſons profeſſing the popiſh religion, are by law ſubject." In the courſe of an able ſpeech he commented with great ſeverity on the exiſting laws againſt Roman Catholics, and after enumerating the various oaths of ſupremacy which had from time to time been deviſed, he ſtated that the relief which he ſhould propoſe for the proteſting Roman Catholics would be a bill ſimilar to that which had paſſed in Ireland for the relief of the Roman Catholics ſome years ſince; and,

as no ill conſequences had been found to reſult from it in a country where the Roman Catholics were ſo much more numerous, he truſted that the Houſe would ſee no impropriety in the propoſition. The motion *was ſupported by Mr. Pitt*, who expreſſed a hope that the Houſe would be unanimous in receiving the bill. He was followed by Mr. Fox, who thought, however, that the meaſure was too narrow in its views. He wiſhed to go much further, and eſtabliſh complete toleration. The bill was eventually carried through the Houſe of Commons without a diviſion. On the ſecond reading in the Houſe of Lords a debate enſued upon the propriety of ſeveral clauſes. The Archbiſhop of Canterbury, and the Biſhops of S. David's, Peterborough, and Saliſbury, gave the bill their ſupport, and it was paſſed on the 4th of June, a ſlight variation having been made in the form of the oath.

And now that the Roman Catholics were relieved from the ſeverity of penal ſtatutes, it was determined that an effort ſhould be made to free them from *political* diſabilities as well. The attempt originated in Ireland in the early part of 1795, where aſſemblies of the moſt influential of the Roman Catholics were held, in which it was determined to addreſs the Throne for a remiſſion of political diſqualifications, and a full participation in the rights of their fellow-ſubjects. It was well known that the Prime Miniſter, Mr. Pitt, was favourable to their demands, provided that ſufficient ſecurities could be given; but it was alſo known that the King was moſt determinately hoſtile, and it was

not thought that in the face of the Iriſh legiſlature, compoſed entirely of Proteſtants, any material conceſſions would be granted.* Ultimately, however, the exiſting laws were ſo far relaxed as to permit Roman Catholics to intermarry with Proteſtants, to take apprentices, to keep ſchools, and to plead at the bar, together with ſome leſſer privileges hitherto withheld from them.

But, important as theſe relaxations were, they were received with little favour. The Roman Catholics had taſted enough of the ſweets of liberty to make them long for more. The ſtudy of human nature proves the truth of the French proverb, *L'appetit vient en mangeant;* and nothing would now ſatisfy them but a deliverance from diſqualifications of *every kind.* It was at this juncture that Lord Fitz-William was appointed Lord-Lieutenant of Ireland. From his well-known inclination to moderate counſels, and the favourable diſpoſition of the government which had appointed him, large conceſſions were not unreaſonably expected. It was believed that he was ſpecially charged to carry over to Ireland a final deliverance from diſqualifications of all kinds on religious grounds. The Roman Catholics ſaw, therefore, that this was the time to preſs their advantage, and Mr. Grattan was

* The unconquerable nature of the King's ſcruples is forcibly deſcribed in his well-known ſpeech:—"I can give up my crown, and retire from power; I can quit my palace, and live in a cottage; I can lay my head on a block, and loſe my life: but I can *not* break my oath."

put forward to advocate their claims. A Relief Bill was already in courſe of preparation, when the Government, finding that the King would never give his conſent to it, took alarm, and declared its hoſtility to the meaſure. Lord Fitz-William, who, it muſt be confeſſed, had ſhown but little tact in ſo eaſily allowing himſelf to become the tool of the Iriſh party, was recalled, and Lord Camden was appointed as his ſucceſſor. This led to the moſt ſerious manifeſtations of diſpleaſure both in the Iriſh Parliament and out of doors. One party was for impeaching Mr. Pitt, while the more excitable vented their indignation in tumultuous meetings, which were only diſperſed by the ſoldiery. Meanwhile, however, a conceſſion of another and more perilous kind was granted to the Iriſh Roman Catholics. Up to this time the ranks of the prieſthood had been recruited from foreign colleges; but the French Revolution had ſwept moſt of theſe ſeminaries away. The Roman Catholics were now in an evil caſe, and if Government had not ſpeedily come to their aſſiſtance, their Church in Ireland muſt have expired from inanition. This was, therefore, thought to be a favourable moment for founding an inſtitution in Ireland for the training of Roman Catholic youths for the prieſthood, and thus prevent their forming foreign connections, involving themſelves in foreign relations, and bringing home to their own country foreign affections. Eight thouſand pounds were, accordingly, granted from the public money, in the year 1795, and the college of Maynooth was founded—an eſtabliſh-

ment which from that day to the preſent has furniſhed a ceaſeleſs ground of irritation and debate. The grant was made, beyond queſtion, in a liberal and conciliatory ſpirit; but experience has ſhown that the college has proved an entire and hopeleſs failure.

And now the projected union of Ireland with Great Britain ſhared for a while the thoughts and occupied the energies of politicians of every grade, jointly with the meaſure for Roman Catholic Relief. It was believed that, when the Act of Union paſſed, in July, 1800, immediate ſteps would be taken by Government to releaſe the Roman Catholics from their remaining diſabilities. As long as the two kingdoms had diſtinct legiſlatures, it was impoſſible to open the avenues of Parliament and public offices to Roman Catholics in Ireland, ſince they outnumbered the Proteſtant population in the ratio of three to one. Such a meaſure would have had the inevitable effect of eſtabliſhing a Roman Catholic Government and Church in Ireland. But when one common legiſlature was eſtabliſhed for both countries, it was not thought that the admiſſion of a very ſmall and uninfluential minority of Roman Catholics into Parliament would exerciſe any improper influence on the councils of the nation. Many, therefore, of the leading Tory ſtateſmen were favourable to their admiſſion, Mr. Pitt among the number; but the determined oppoſition of the King rendered any ſuch ſtep for the preſent impoſſible. He was abſolutely inflexible, and was, moreover, fully perſuaded that any further relaxation

would involve a violation of his coronation oath. He was ſupported in his determination by the opinion of the Chancellor Loughborough, who was, it is to be feared, merely humouring the King's prejudices for his own private ends; and the conſequence was that the King refuſed to have the ſubject mentioned in his preſence any more. This led to a coldneſs between the King and Mr. Pitt; and it was not long before the adminiſtration of the latter, which had been carried on with unparalleled benefit to the country for ſeventeen years, came to an end. To increaſe the pain and perplexity which were felt on all ſides at this eventful time, the miniſters were charged with having cauſed that calamitous affliction under which the King laboured. So acutely did Mr. Pitt feel the imputation, little as he deſerved it, that, on the King's reſtoration to health, he promiſed that he would not again bring forward the Roman Catholic queſtion during his Majeſty's lifetime.

For the preſent, then, further conceſſion was not to be thought of. But its advocates, though repulſed, were not daunted, and, like ſkilful generals, gathered up their forces for a freſh attack. Lord Grenville had eſpouſed the cauſe of Roman Catholic relief with great warmth, and on the 10th of May, 1805, moved the order of the day in the Houſe of Lords to take into conſideration the petition of the Roman Catholics in Ireland, preſented on the 25th of March, and, in a ſpeech of great power, advocated the removal of exiſting diſabilities. Special importance attaches to the de-

bate which followed, as it was the *firſt time* that the queſtion had been brought forward *ſince the Union.* The Lords debated, until four o'clock in the morning, whether or not the petition ſhould be referred to a committee, and then adjourned until Monday the 13th, when, after ſitting till ſix o'clock on the following morning, they rejected the motion by 178 to 49. Mr. Fox's motion in the Commons, on the preſentation of a duplicate petition, met with a ſimilar fate on the following day, being rejected by a majority of 336 to 124. The voice of the country was plainly againſt making any change in the Conſtitution at a time when the whole of Europe was convulſed, and many who were otherwiſe favourable to the meaſure gave their vote againſt it. The debate in the Commons was chiefly remarkable for giving occaſion to the *débût* of a new member, Henry Grattan, who had with difficulty been perſuaded to ſit in Parliament, and had, through Lord Fitz-William's intereſt, been returned as member for Malton. His ſpeech, which laſted for an hour and a-half, elicited marks of very warm approval even from Mr. Pitt, and placed him at once in the front rank of parliamentary debaters. From this moment to the end of his brilliant career he was the moſt zealous champion of Emancipation; and, although not permitted to ſee his labours crowned with ſucceſs, it was to his untiring energy that the ultimate paſſing of the meaſure was chiefly due.

The year 1807 was marked by the grant of an additional ſum of 5000*l.* to the college of Maynooth.

Petitions continued to be preſented to both Houſes of Parliament; and, on the 13th of May, 1810, Mr. Grattan brought forward a motion in the Houſe of Commons for a committee to conſider the Roman Catholic claims. Seldom had the walls of S. Stephen's echoed with ſuch fervid eloquence. But though this memorable ſpeech led captive the judgment of even ſober men, and gave to the opponents of the meaſure a temporary check; yet, the magnitude of the danger attending further conceſſion ſpeedily re-aſſerted its power, and, after an adjourned debate, the motion was loſt by a majority of 104. On the 6th of June a motion to the ſame effect was made in the Houſe of Peers by the Earl of Donoughmore, which was loſt by a majority of eighty-ſix, the Lord Chancellor Eldon having been its chief opponent.

Early in the following year (1811) the Roman Catholics again occupied a large ſhare of the attention of Parliament—the firſt of the Regency. Political agitators in Ireland had conceived the plan of a National Repreſentative Aſſembly, which was to hold its ſittings in Dublin, and, under pretence of petitioning Parliament, levy money, and take into its hands the general protection and management of Roman Catholic intereſts. The danger of ſuch a proceeding was too great to allow of delay, and the Iriſh Government promptly checked the project by ſending a circular letter to the ſheriffs and chief magiſtrates of all the counties in Ireland, directing them to arreſt, under the Convention Act, all perſons who might in

any way be concerned in promoting ſuch an aſſembly. The remedy was ſharp, but deciſive, and led to an animated debate in the Engliſh Parliament, Mr. Welleſley Pole, Secretary to the Lord-Lieutenant of Ireland, appearing in his place in the Houſe of Commons to give an account of his conduct; but there were no reſults, beyond a diſplay of irritated feelings. It was of this benefit, however, to the Roman Catholics, that it kept their claims freſh before men's minds, and helped to increaſe the growing conviction that further conceſſions were inevitable. On the 31ſt of May, in the ſame year, Mr. Grattan repeated his motion in the Houſe of Commons on behalf of the Roman Catholics, and this time with ſomewhat better ſucceſs, for the majority againſt the motion had now decreaſed to ſixty-three. On the 18th of June a ſimilar motion was alſo made in the Houſe of Lords by the Earl of Donoughmore. The debate was chiefly remarkable for a ſpeech by the Biſhop of Norwich, Dr. Bathurſt, in favour of the Roman Catholic claims; the motion, however, was loſt by a majority of fifty-nine, being twenty-ſeven leſs than upon the former occaſion. In proportion as the majorities againſt theſe annual motions decreaſed, ſo did the hopes of the Roman Catholics riſe. They felt that the conteſt might be prolonged, but that victory was ſecure; and thus, while noiſy agitators were doing their work out of doors, Parliament was inundated with petitions from all quarters, not a few of them coming from Proteſtant ſources. On the 21ſt of April, 1812, Lord Donoughmore renewed his mo-

tion, and, in the long debate which followed, every argument which had been previouſly uſed was again brought forward, decked out with the choiceſt ornaments of oratory. It was a ſubject the charm of which ſeemed to make ſpeakers inſenſible to wearineſs. But the hopes of the Roman Catholics were not as yet to be realized, for the government at this time was eſſentially a "no-popery" adminiſtration, and the motion was loſt by a majority of ſeventy-two. A ſimilar motion was made by Mr. Grattan in the Houſe of Commons on April the 23rd, and was loſt by a majority of eighty-five. The *third* memorable defeat which the Roman Catholic claims, ſo pertinaciouſly urged, had ſuffered in Parliament. Undaunted by theſe failures, and confident that the fears of their opponents would one day grant what their better judgment withheld, the favourers of the meaſure roſe, Antæus-like, from their overthrow, and next time with Mr. Canning and Lord Welleſley at their head.

On the 22nd of June, 1812, Mr. Canning moved a reſolution, pledging the Houſe to an early conſideration, in the next ſeſſion, of the Roman Catholic claims, with a view to their final and conciliatory adjuſtment. In the debate which followed, *the motion was carried* by the deciſive majority of 235 to 106. In the Houſe of Lords, the ſtronghold of the Anti-Catholic party, the majority againſt the motion was only *one*. Seldom has any diviſion ſhown ſuch an extraordinary balance of opinion in that Houſe. The Miniſters were not agreed among themſelves, for it had been underſtood

for ſome years that this ſhould be left an open queſtion. The Bench of Biſhops itſelf was divided; and of the five Royal Dukes three voted on one ſide and two on the other.

And now the Roman Catholics had good reaſon to congratulate themſelves upon the improved aſpect of their fortunes, and to predict the hour of victory. But ſeventeen years of reſtleſs agitation were to intervene.

On February 25, 1813, Mr. Grattan, emboldened by the ſucceſs of the previous year, renewed his annual motion for a committee on the claims of the Roman Catholics. The *debate which followed continued during four days*, ſo exhauſtleſs did the ſubject promiſe to be; and ſome idea of its prolixity may be formed from the fact that its printed report is the ſize of an ordinary volume. At its cloſe there was a majority of forty in favour of the motion; a great falling off as compared with the majority of the preceding year, and attributable to the reactionary alarm which had ſet in throughout the country at the magnitude of Roman Catholic pretenſions.

In order to occupy the ground which had already been gained by Mr. Canning, Mr. Grattan, on March the 9th, moved the order of the day for a committee of the whole Houſe on the Roman Catholic queſtion. He then propoſed a reſolution that it is highly adviſable to provide for the removal of the civil and military diſqualifications under which his Majeſty's Roman Catholic ſubjects labour, with ſuch exceptions, and under ſuch regulations, as ſhould be found neceſ-

ſary. On a diviſion of the Houſe there was a majority of ſixty-ſeven in favour of the motion.

On April the 30th Mr. Grattan introduced his bill, and moved that it ſhould be read a firſt time and printed, which was agreed to. On May the 13th the bill was read a ſecond time, after a ſtout oppoſition. It was conſidered in committee on May the 24th, and after a powerful ſpeech againſt the meaſure by the Speaker, the Right Honourable Charles Abbott, it was rejected by a narrow majority of four. But the hopes of the Roman Catholics had now riſen ſo high that even the meaſure of conceſſion which was propoſed altogether failed to excite their gratitude, or indeed to meet their approval. This is clearly ſhown from the following letter of the Roman Catholic Prelates, aſſembled in Dublin, to the Clergy and Laity of the Roman Catholic Churches in Ireland:—

"Reverend Brothers—Beloved Children—Peace be with you. Solicitude for the ſpiritual intereſt of our beloved flocks, obliges us once more to ſuſpend the exerciſe of our other paſtoral duties, in order to deliberate, in common, upon the preſent poſture of our religious concerns.

"We haſten to declare to you the lively feelings of gratitude excited in our breaſts by the gracious condeſcenſion of the Legiſlature, in taking into its favourable conſideration the diſabilities which ſtill affect the Catholic body. With theſe feelings deeply and indelibly impreſſed upon our hearts, it is with the utmoſt diſtreſs of mind that we are compelled, by a ſenſe of duty, to diſſent (in ſome points connected with our emancipation) from the opinions of thoſe virtuous and enlightened ſtateſmen, who have ſo long and ſo ably advocated the cauſe of Catholic freedom.

"Probably from a want of ſufficient information, but unqueſtionably from the moſt upright motives, they have propoſed to the Legiſlature the adoption of certain arrangements reſpecting our Eccleſiaſtical diſcipline, and particularly reſpecting the exerciſe of epiſcopal functions, to which it would be impoſſible for us to aſſent, without incurring the guilt of ſchiſm, inaſmuch as they might, if carried into effect, invade the ſpiritual juriſdiction of our Supreme Paſtor, and alter an important point of our diſcipline, for which alteration his concurrence would, upon Catholic principles, be indiſpenſably neceſſary.

"When the quarter is conſidered from whence the clauſes have proceeded, it might perhaps be imagined, were we to continue ſilent, that they had our unqualified approbation. On this account we deem it a duty which we owe to you, to our country, and to God, to declare, in the moſt public manner, 'that they have not, and that in their preſent ſhape they never can have, our concurrence.' As, however, we have, upon all occaſions, inculcated the duty of loyalty to our moſt gracious Sovereign, (the ſecuring whereof is the profeſſed object of the propoſed eccleſiaſtical arrangements,) ſo we would be always deſirous to give you the moſt convincing proofs that we are ready, in the moſt exemplary manner, to practiſe it ourſelves. We have ſworn to preſerve inviolate the allegiance which every ſubject owes to his Sovereign—we are not accuſed of having violated our oaths.

"Should any other oath, not adverſe to our religious principles, be yet deviſed, which could remove even the unfounded apprehenſions of any part of our countrymen, we would willingly take it. We owe it to our God to be free from diſloyalty. We owe it to our countrymen to endeavour, at leaſt, to be free from ſuſpicion.

"Upon theſe grounds, Reverend Brothers, Beloved Children, we announce to you the following reſolutions, which, after invoking the light and aſſiſtance of God, we have unanimouſly adopted, viz:—

"1. That having ſeriouſly examined a copy of the Bill, lately brought into Parliament, purporting to provide for the removal of the civil and military diſqualifications under which his Majeſty's Roman Catholic ſubjects labour, we feel ourſelves bound to declare that certain eccleſiaſtical clauſes or ſecurities therein contained are utterly incompatible with the diſcipline of the Roman Church, and with the free exerciſe of our religion.

"2. That we cannot, without incurring the heavy guilt of ſchiſm, accede to ſuch regulations; nor can we diſſemble our diſmay and conſternation at the conſequences which ſuch regulations, if enforced, muſt neceſſarily produce.

"3. That we would, with the utmoſt willingneſs, ſwear, (ſhould the Legiſlature require us to do ſo,) that we never will concur in the appointment or conſecration of any Biſhop, whom we do not conſcientiouſly believe to be of unimpeachable loyalty and peaceable conduct; and further, 'that we have not, and that we will not have, any correſpondence or communication with the Chief Paſtor of our Church, or with any perſon authorized to act in his name for the purpoſe of overthrowing or diſturbing the Proteſtant Government, or the Proteſtant Church of Great Britain and Ireland, or the Proteſtant Church of Scotland, as by law eſtabliſhed.' Reverend Brothers, Beloved Children, the Grace of our Lord Jeſus Chriſt, and the Communion of the Holy Ghoſt be with you all, Amen.

"*Dublin, May* 26, 1813."

(*Here follow the Signatures.*)

In ſpite, however, of the rejection of Mr. Grattan's motion, the ſeſſion of this year did not paſs away without a conſiderably increaſed meaſure of relief being granted to the Roman Catholics. A bill was brought forward in the Lords by the Duke of Norfolk, and ſubſequently paſſed into law, which provided that

Roman Catholics holding any civil or military office granted to them in Ireland under the Act 33, George III, c. 21, who ſhould have taken the oaths preſcribed, ſhould not be liable in England, in the navy, or in Jerſey and Guernſey, to any of the penalties of 25 Charles II, c. 2, or to any penalties for not taking teſts; and that any Roman Catholic having taken thoſe oaths, and having received in Ireland a commiſſion in the army, ſhould not, on receiving a higher commiſſion in Great Britain, be liable to any of the ſaid penalties.

In the following year, 1814, the proceedings of the Roman Catholic board in Ireland were ſo violent and menacing, that the Lord-Lieutenant, with the advice of the Privy-Council, iſſued a proclamation, declaring it contrary to law. This led to a monſter meeting of Roman Catholics in Dublin, under the preſidency of the Hon. Thomas Ffrench, at which Mr. O'Connell diſtinguiſhed himſelf by more than his uſual fluency of invective. For a time the violence diſplayed by political agitators in Ireland occaſioned ſerious injury to the cauſe of Roman Catholic relief, and promiſed to retard for many years the fulfilment of hopes ſo fondly cheriſhed and ſo warmly urged. Once more, therefore, it was determined to have recourſe to more conſtitutional meaſures, and on May 11, 1815, a petition was preſented to the Houſe of Commons by Sir Henry Parnell, on behalf of the Roman Catholics of Ireland, praying it "to grant to them the redreſs of the oppreſſive grievances of which they ſo juſtly complain; and to reſtore to them the

full and unreſtricted enjoyment of the rank of free ſubjects of the empire."

On the 30th of the ſame month a long debate enſued, in which all the former ground was traverſed afreſh by the various ſpeakers, and in which Mr. Grattan ſhone with even more than his wonted brilliance. The motion, however, was loſt by a majority of eighty-one; and a ſimilar motion made by Lord Donoughmore in the Houſe of Lords, on June the 8th, was rejected by a majority of twenty-ſix.

Meanwhile the agitation in Ireland continued unabated, and this, combined with a confederacy in crime which manifeſted itſelf in a ſyſtematic oppoſition to all laws and municipal inſtitutions, ſufficed to keep the country in a ſtate of the greateſt uneaſineſs and alarm. The danger of further conceſſions to the Roman Catholics is well ſhown in a letter written about this period by Mr. (afterwards Sir Robert Harry) Inglis to Lord Sidmouth.

"Nothing," he ſays, "that I have yet ſeen or heard in Ireland has weakened my conviction that it is neceſſary to ſtop ſhort of any further conceſſion of political power to the Roman Catholic body. If we could be morally certain that unconditional ſubmiſſion to their preſent demands would enſure to us the permanent peace and union of all claſſes, we might, perhaps, admit the anomalies of the meaſure; but every new conceſſion has furniſhed only the diſpoſition and the means to extort more. 'Aſk where's the North, at York it's on the Tweed;' and the North will thus recede from us 'till all be theirs beneath the Arctic ſky.' Catholic emancipation will be followed by the abolition of the tithes, the erection of a Roman Catholic eſtabliſhment, or the

ſeparation of the two countries as ſucceſſive objects of popular excitement; and O'Connell and O'Gorman, who, we are told, would completely loſe their conſequence by the ſucceſs of their own preſent efforts, would quickly find in any one or all of theſe, or ſome other of the 'thirty thouſand grievances,' ſome moſt animating ſubſtitute for the war-cry which they now raiſe."

The Parliamentary tranſactions of 1816, in reference to the Roman Catholic claims, were opened, on April the 26th, by a petition being preſented to the Houſe of Commons by Sir Henry Parnell, and the efforts were continued to the cloſe of the ſeſſion. On the 15th and 21ſt of May petitions were alſo preſented; and upon the laſt occaſion Mr. Grattan moved that the Houſe ſhould take into its conſideration the ſtate of the laws affecting Roman Catholics, with a view to a final and conciliatory adjuſtment. It deſerves to be recorded that upon this occaſion the motion was ſupported by Lord Caſtlereagh, and oppoſed by Mr. Peel, Secretary for Ireland. It was loſt by a majority of thirty-one. On the 30th of May the queſtion was revived by Sir Henry Parnell, and again alſo on the 6th of June—ſo determined were the Roman Catholics to force their claims upon the nation. In the Houſe of Lords the ſubject of Roman Catholic relief was taken into conſideration on June the 21ſt—the chief feature of the debate being the ſpeech of the "liberal" Biſhop of Norwich (Dr. Bathurſt) in favour of the motion. It was rejected, however, by a majority of four. And here it may not be out of place to notice the fact that this great queſtion, involving a change in the conſtitution of the

country, was ſcarcely ever brought forward till near the cloſe of the ſeſſion, when, according to the very advocates of relief, it was too late to take any ſteps in the matter. The queſtion was again revived May the 9th, 1817, by Mr. Grattan unſucceſsfully moving the adoption of the reſolution of 1813. It was rejected by a majority of twenty-four; and on May the 16th a ſimilar motion was negatived in the Houſe of Lords by a majority of fifty-two.

The year 1818 was ſignaliſed by a reſpite from Parliamentary debates on this interminable ſubject; but on May the 3rd, 1819, Mr. Grattan again preſſed it on the attention of the Houſe of Commons, and in a very full Houſe there was a narrow majority of two againſt his motion. In the Houſe of Lords, on May the 17th, a ſimilar motion was rejected by a majority of forty-one.

On the 25th of the ſame month Earl Grey introduced a bill to relieve Roman Catholics from taking the declaratory oaths againſt Tranſubſtantiation and the Invocation of Saints.* The bill was read a firſt time, but on the ſecond reading (June the 10th) there was a majority againſt it of fifty-nine.

But before the Roman Catholic cauſe could again be brought before Parliament, its chief ſupport was no more. Mr. Grattan had, indeed, come to London to attend the ſeſſion of Parliament; but his health was broken, and he never again raiſed his voice in public

* For an account of this, ſee "Letter to Earl Grey," page 28.

in defence of that queſtion which had engroſſed the beſt of his time and talents. His laſt thoughts, however, were given to his darling ſcheme, and his dying words were thoſe of warning to the Roman Catholics, entreating them to abſtain from endeavouring to turn the diſſenſions of the times to their own profit, but quietly to wait for the victory which was ſure to come. His loſs in the Houſe of Commons was irreparable. The rival of Pitt, Fox, and Sheridan, with a force of eloquence and a power of illuſtration which were all his own, upon whom ſhould his mantle fall?

In the early part of the ſeſſion of 1821 the claims of the Roman Catholics were again brought before both Houſes of Parliament. On February the 28th, Mr. Plunkett moved in the Commons that a Committee of the whole Houſe ſhould conſider the exiſting laws as affecting the Roman Catholics, and inquire whether it would be expedient to alter or modify them. The oppoſition was led upon this occaſion by Mr. Peel, whoſe hoſtility to further conceſſion was moſt energetic; but the motion was carried by a majority of ſix, in a very full Houſe. Leave was then given to bring in a bill. This was done on the 7th of March, and the ſecond reading was fixed for the 16th of the ſame month. Among thoſe who ſpoke in favour of the meaſure were Mr. Wilberforce, Sir James Macintoſh, and Mr. Canning. Upon a diviſion there was a majority of eleven for the ſecond reading of the bill; and on the 2nd of April, on the queſtion being put for the third reading, it was carried by a majority

of nineteen. Thus, then, the efforts of the Roman Catholics were crowned with partial ſucceſs.

The bill was carried up to the Houſe of Lords on the 3rd of April, and was read a firſt time without any debate. Meanwhile numerous petitions were preſented againſt it; and it is worthy of remark, as evidencing the ſpirit of aggreſſion which had at this time taken poſſeſſion of the Roman Catholics, that they themſelves were among the number of theſe petitioners, expreſſing very ſtrong diſapprobation at the propoſed regulations which were intended as ſecurities; ſo quickly had the ſpirit of the encyclical letter of the Iriſh Biſhops, already quoted, leavened the entire community.

The ſecond reading was fixed for the 16th of the ſame month, when, after a long and weariſome debate, the motion was negatived by a majority of thirty-nine. Upon this occaſion, as on all others, Lord Eldon ſhowed himſelf an inflexible opponent of the meaſure, and the Duke of York expreſſed ſentiments, which, as coming from the heir-preſumptive to the Crown, could not fail to exerciſe a depreſſing influence upon the hopes of the Roman Catholic party. Lord Liverpool, alſo, continued his oppoſition, declaring that there were not three lines in the bill to which he could agree.

The year 1822 was ſignaliſed by riotous proceedings of a more than ordinary atrocious character, and by a famine, in Ireland. This, however, did not at all prevent a renewal of the diſcuſſion of Roman Catholic claims, though they were not urged this year

under the comprehenſive form of Catholic Emancipation. Mr. Canning had now taken Mr. Grattan's place as the advocate of entire conceſſion; but for the preſent he contented himſelf with moving, on the 30th of April, for leave to bring in a bill to relieve Roman Catholic Peers from the diſabilities impoſed on them by the Act of 30th Charles II, with regard to the right of ſitting and voting in the Houſe of Lords. This was a ſkilful way of introducing the thin end of the wedge, and the hopes of the Roman Catholics not a little revived when the motion was carried by a majority of five. The ſecond reading of the bill took place on the 10th of May, when Mr. Peel continued his oppoſition with unabated force and eloquence, but without effect, for it was carried by a majority of twelve, and no diſcuſſion or diviſion took place on the third reading. But, yielding as the Commons had now become, the Peers were not inſenſible of the impending danger; the bill was thrown out in the Houſe of Lords, on its ſecond reading, by a majority of forty-two.

Diſturbances and outrages continued in Ireland during the year 1823, and the ſtate of that country had now become a ſource of ceaſeleſs diſquiet to Engliſh legiſlators. It was the one problem which ſeemed capable of no ſolution. So ſerious was the aſpect of affairs, that many of the more moderate of the Roman Catholics were for poſtponing all further conſideration of their claims; but the voices of the violent party prevailed, as they moſtly do prevail in troublous times,

and the ſubject was again brought before the Houſe of Commons on the 17th of April. It was upon this occaſion that Sir Francis Burdett declared his intention of withdrawing from all further conſideration of the queſtion, ſtigmatiſing the annual motion as a farce. A violent diſcuſſion then took place, in conſequence of the alleged defection of Mr. Canning from the cauſe. That right honourable gentleman defended himſelf with great warmth, and the debate aſſumed all the appearance of a perſonal quarrel. Nothing reſulted beyond this diſplay of bitterneſs, and the queſtion was allowed to drop. Other motions were made during the ſeſſion, varying the nature of the Roman Catholic claims, and calculated to bewilder their opponents from their very variety; but no meaſure was paſſed.

The ſtate of Ireland had greatly improved as the ſpring of 1824 advanced, and it was felt that the opportunity was favourable for renewing the conſideration of Roman Catholic relief. Two bills were introduced into the Houſe of Peers by Lord Lanſdowne for aboliſhing ſome of the diſabilities of the Engliſh Roman Catholics. One bill conferred on them the elective franchiſe, and the other admitted them to act as magiſtrates, and hold certain ſubordinate offices, particularly in the revenue. Both bills, however, were rejected.

The Aſſociation in Ireland already referred to,* which levied money under colour of protecting Roman

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* See page 154.

Catholic intereſts, was now felt to be an inſufferable evil, and to be totally oppoſed to the ſpirit of the Conſtitution. The King's ſpeech at the opening of Parliament, on the 3rd of February, 1825, referred to its illegal proceedings, and called upon the Houſes to conſider the means of applying a remedy. On the 10th of the ſame month Mr. Goulburn moved for leave to bring in a bill to amend the Acts relating to unlawful ſocieties in Ireland. The debate which followed was keen and fierce, and laſted over four nights. The motion was carried by a deciſive majority of 155. Meanwhile, the Roman Catholics began to feel that they had gone too far, that the patience of the nation was well-nigh exhauſted, and that they ran the moſt imminent riſk of ſeeing the hopes of years altogether extinguiſhed. On the 17th of February, therefore, Mr. Brougham appeared in the Houſe of Commons as their advocate, and preſented a petition ſetting forth their grievances in language the moſt ſpecious, and praying that the Houſe would adopt no meaſure againſt the Catholic Aſſociation, or againſt any portion of the Catholic people of Ireland, without firſt affording to the petitioners a full opportunity of vindicating their principles and conduct at the bar of the Houſe, and of being heard, if neceſſary, as well by witneſſes as by their counſel.

On the ſame night Mr. Brougham moved that the Roman Catholic Aſſociation ſhould be heard, by themſelves or their counſel, at the bar of the Houſe, and after a ſharp debate, in the courſe of which Mr. Peel

made a brilliant ſpeech againſt the motion, it was rejected by a majority of 133.

Mr. Goulburn's bill was read a ſecond time on the 21ſt of February, and a third time on the 25th. It was then carried up to the Houſe of Lords, where it was read a third time and paſſed on the 7th of March, and on the 9th received the Royal aſſent. The Act was to commence ten days after it paſſed, and was to continue two years in force. The Roman Catholic Aſſociation, ſeeing that reſiſtance was hopeleſs, expired without a ſtruggle; only, however, to revive again with increaſed power of vitality and miſchief.

And now the thoughts of the Roman Catholic party were turned towards Mr. Canning. His popularity was unbounded, his feelings were known, and the moſt extravagant ideas were formed of what might be effected by his all-powerful ſupport. On the 1ſt of March (ſo ſhort was the repoſe given to the Houſe of Commons) a petition to examine Roman Catholic claims was preſented by Sir Francis Burdett, who ſeems to have reconſidered his determination to retire altogether * from a conteſt which was deſtined to afford a perpetual outlet for party feeling. Mr. Canning ſpoke in favour of it, as well as Mr. Plunkett and Mr. Brougham. The motion was ſtoutly oppoſed by Mr. Peel; but it was carried by a majority of thirteen. On the 23rd of March a bill was brought in and read the firſt time. A long and animated debate

* See page 168.

enſued, and it was ultimately read a third time and paſſed on the 10th of May, by a majority of twenty-one.

Previouſly to the reading of this bill in the Houſe of Lords, a moſt important event had occurred—the declaration by the Duke of York againſt further conceſſions to the Roman Catholics. It would be difficult to deſcribe the effect of his ſpeech, and the new courage it gave to the Anti-Catholic party. Thouſands of copies of it were printed and circulated throughout the country. It was the moſt deciſive check that the queſtion had yet ſuſtained.

Whatever therefore the fate of the Bill might be in the Houſe of Lords, it was confidently believed that it never would receive the Royal aſſent. Truly enough did Lord Eldon ſay, that "if the ſame attention had been paid by the people to this concern between Popery and Proteſtantiſm, in any early ſtage of the buſineſs, all had been well."

But ſevere as was the check which the Roman Catholic party had now received, they determined to preſs the matter on without delay. The bill was, therefore, carried up to the Houſe of Lords on the 11th of May, and, after a very long and tedious debate, in which all previous arguments were repeated with as much reliſh as if they were the moſt brilliant novelties, it was thrown out by a majority of forty-eight. During the ſeſſion of 1826 the queſtion of Roman Catholic Emancipation was not formally preſſed upon the notice of Parliament. The recent vote in the Houſe of Lords, coupled with the ſtrong Proteſt-

ant reaction which had ſet in throughout the country, muſt have been enough to convince its moſt enthuſiaſtic advocates of the utter hopeleſſneſs of obtaining any further conceſſions at preſent, either from the hopes or the fears of the nation. Leſt Roman Catholic claims, however, ſhould be allowed altogether to fade away, they were aſſiduouſly kept before public notice by means of numerous petitions addreſſed to both Houſes of Parliament. The Roman Catholic Aſſociation alſo ſtill held its meetings, the laws againſt it never having been put into force, and continued to pour forth an uninterrupted ſtream of ſlander and ſedition.

Early in the year 1827 the Roman Catholics were determined to improve their laſt victory in the Houſe of Commons, and, on the 5th of March, Sir Francis Burdett moved, "That this Houſe is deeply impreſſed with the neceſſity of taking into immediate conſideration the laws inflicting penalties on his Majeſty's Roman Catholic ſubjects, with the view of removing them." After a moſt animated debate, in which all the leading ſtateſmen of the day took part, the motion was loſt by a majority of four, the numbers being, for the motion, 272; againſt it, 276. Thus, then, the queſtion ſeemed as far from ſettlement as ever.

CHAPTER XI.

Dr. Phillpotts' Firſt Letter to Mr. Canning. His Inducement for entering upon the Roman Catholic Queſtion. Securities a Part of every Roman Catholic Relief Bill. Mr. Canning himſelf an Advocate for them. Gradual Departure from Original Principles. The Menacing Attitude of the Roman Catholics. An Anecdote in Illuſtration of Mr. Canning's Retroceſſion. The Bill of 1825 *conſidered. Its Securities compared with thoſe of* 1813. *Its Inferiority to Previous Bills. Exceſſive Deference ſhown to Roman Catholics. Inſolence of the Iriſh Roman Catholic Aſſociation. No Voice allowed to the Sovereign in the Appointment of Roman Catholic Biſhops. A Board of Commiſſioners propoſed to certify the King of the Loyalty of the Biſhops-elect. Compoſition of the Board ridiculed by Dr. Phillpotts. The propoſed Way of dealing with Bulls and other Inſtruments from Rome. Summary of the Bill. Mr. Canning's Conduct deſcribed.*

IT was at this ſtage of the Roman Catholic queſtion, that Dr. Phillpotts publiſhed his Letters to Mr. Canning, the firſt being dated the 23rd of February,* and the ſecond, the 7th of May, 1827. Among the many remarkable publications which iſſued from the

* "A Letter to the Right Honourable George Canning on the Bill of 1825, for removing the Diſqualifications of his Majeſty's Roman Catholic Subjects, and on his Speech in ſupport of the ſame, by the Reverend Henry Phillpotts, D.D., Rector of Stanhope."

preſs, during this eventful controverſy, none received, or deſerved, more attention than theſe brilliant letters. It will be neceſſary, therefore, to examine them at ſome length.

Dr. Phillpotts ſtates, at the outſet, that his inducement for entering upon a diſcuſſion of the Roman Catholic claims was to vindicate certain doctrines of the Engliſh Church from the groſs miſconception and miſrepreſentations to which they had been ſubjected by the unſcrupulous arts of Roman controverſialiſts. The theological and political aſpects of the queſtion were by no means inſeparable; but the two had become ſo cloſely interwoven that it was hardly poſſible to keep them apart. Mr. Canning, in dealing with the political ſide of the caſe, had found himſelf irreſiſtibly drawn into a diſcuſſion of the theological. This afforded to Dr. Phillpotts the opportunity of putting forth one of the moſt ſplendid treatiſes on the bearings of the Roman Catholic queſtion which ever iſſued from the preſs.

He proceeds in the firſt place to ſhow that a ſyſtem of *ſecurities* had formed part of every plan of Roman Catholic relief, from the time of Mr. Pitt in 1799, down to 1813, and that politicians of all ſhades of opinion, including Mr. Canning himſelf, had united in thinking it undeſirable to make conceſſions to the Roman Catholics without aſking from them in turn the obſervance of certain conditions which were deemed indiſpenſable to the welfare of the State. This part of the ſubject deſerves eſpecial attention, as it was

afterwards endeavoured to be ſhown that Dr. Phillpotts had, for the moſt unworthy motives, ſeen fit to change his opinions on the queſtion of ſecurities. He thus ſpeaks upon the matter:—

"This, Sir, was the epoch of the moſt ſecure and honoured ſtate of our Proteſtant eſtabliſhments ſince the time when they were firſt aſſailed by the claims of the Roman Catholics. No ſtateſman, on either ſide of either Houſe of Parliament, ventured then to recommend the unqualified conceſſion of thoſe claims; or the conceſſion of them at all, without requiring real, effectual, and adequate ſecurities. But from this our high and palmy ſtate the hopes of the Proteſtants were ſoon doomed rapidly to decline. The advocates of conceſſion, though ſtill loud and ardent in their profeſſions of a wiſh for mutual ſatisfaction and ſecurity, began to adopt a looſer phraſeology; inſtead of preciſe pledges, we now had, from moſt of them, only vague unmeaning generalities; even the tone of juſt indignation againſt the treachery or waywardneſs of the Iriſh Roman Catholics themſelves, began to give way before 'candid allowances,' and we ſoon heard little elſe but lamentations over 'the diſappointment of a nation's hopes;' with very ſmall conſideration of the cauſes to which that diſappointment was mainly to be aſcribed. In ſhort, they were but too apparently preparing to ſlide into a totally different line of ſentiment and conduct."

Dr. Phillpotts next refers to Mr. Canning's abandonment of his earlier principles on the queſtion of Roman Catholic relief, and ſpeaks of the peril of making conceſſions at a time of popular excitement, and under the preſſure of intimidation. The attitude of the Roman Catholics themſelves is very happily deſcribed as follows:—

"It ſhould ſeem, that, in the judgment of ſome of our ſtateſmen, a very peculiar principle of political calculation applies to this ſubject, by which the neceſſity of precaution is found to be in an inverſe ratio to the magnitude of the danger. Not many years ago, a meek and imploring ſuitor was not to be admitted into the outer court of the temple, without firſt demanding from him ample ſecurities for his good bearing; but, now, every barrier may be ſafely broken down—nay, every obſtruction and inconvenience muſt be carefully ſwept away, in order that the armed ruffian, with defiance on his front, and menace on his tongue, may find a free and unencumbered paſſage to the very ſanctuary of our laws and our religion."

Mr. Canning's retroceſſion, in preſence of the menaces of the Iriſh Roman Catholic party, headed by O'Connell, is humorouſly illuſtrated by the following ſtory:—A celebrated wit, the beſt ſcholar of his day both at Eton and Oxford—a firſt-rate ſpeaker, too, in Parliament, whoſe only fault was a little over-anxiety, in ſeaſon and out of ſeaſon, to get the laughers on his ſide—happened one day, in driving along a narrow road, to meet a heavy-loaded waggon. What was to be done? he wiſhed to be accommodating, but for both to proceed was impoſſible: aſſerting, therefore, the privilege of his ariſtocratic vehicle, he peremptorily ordered the farmer to get off the road. "Off the road! not for thee nor any man in England;—and if thou doſt not take that gimcrack of thine out of my way directly, I'll do—what I ſhould be very ſorry to be obliged to do." Our hero, though by no means deficient in manhood, yet wiſely conſidering that no honour could be gained in ſuch an encounter,

ſoon determined to take the diſcreeter part. Therefore, ſettling the matter of dignity as he could, with the beſt grace poſſible, and with admirable management of his reins, he contrived to back out of the difficulty, and at length lodged himſelf and his curricle on a piece of ſmooth turf, at a conſiderable diſtance in the rear. "And now, my friend," ſaid he, "ſince I have done this purely for your accommodation, be ſo good as to tell me what you meant by ſaying that if I did not get out of your way, you'd do what you would be very ſorry to be obliged to do?" "Why, pleaſe your honour," ſays the honeſt Yorkſhireman, pulling off his hat, and making his loweſt reverence, "if you had not backed, *I muſt.*"

The bill of 1825, which Dr. Phillpotts deſignates as an inſult to the common-ſenſe of the country, next comes under conſideration; and he compares the ſecurities with which the conceſſions were to be accompanied with thoſe of the bill of 1813; for theſe, as he truly ſays, are the only ſubjects worthy of inquiry, the conceſſions in both bills being nearly the ſame. Theſe ſecurities were two-fold; a new oath, and a Royal Commiſſion charged with certain duties touching, firſt, the appointment of Roman Catholic biſhops and deans; and ſecondly, the reception of bulls and other inſtruments from Rome.

The ſummary way in which the firſt of theſe is diſpoſed of is moſt thoroughly characteriſtic of Dr. Phillpotts, and ſhows that his wit was as ready as his perception was keen. He ſays:—

"It contains nothing which has not been already preſcribed by the Iriſh Act of the 13th and 14th of George III, or by that of the 33rd of the ſame king. So far, therefore, we gain nothing. I beg pardon; we gain the exchange of *and* for *or* in two of its clauſes First, as the law now ſtands, the Iriſh Roman Catholic 'renounces, rejects,' and abjures' the opinion that 'princes excommunicated may be depoſed *and* murdered.' Your new ſecurity-oath would have made him renounce, etcetera the opinion, that princes excommunicated 'may be depoſed *or* murdered;' and for the microſcopic vigilance which enabled you and your fellow-labourers in this good cauſe to ſuggeſt ſuch an amendment in the exiſting law, I truſt you will receive your due meed of praiſe. The matter is really more important than the Proteſtant reader may at firſt ſuſpect; for the perſons whoſe loyalty requires to be ſecured by theſe proviſions are prodigiouſly nice and accurate in eſtimating the exact *quantum* of obligation which they undertake. 'Is it ſo nominated in the bond?' is their conſtant inquiry. 'If not,—

"be't but ſo much
As makes it light or heavy in the ſubſtance,
On the diviſion of one-twentieth part
Of one poor ſcruple,"

they will have nothing to do with it.'"

He then proceeds to cite a marvellous inſtance of Roman Catholic caſuiſtry which may, perhaps, provoke a ſmile, but which alſo ſhows that he was not inſenſible to the importance of the apparently trifling change of *and* into *or*.

After pointing out the omiſſions of the new ſecurity-oath, and inſiſting that the preſent attempt at legiſlation was inferior, in many important particulars,

to preceding ones, Dr. Phillpotts inquires for the cauſe of this retroceſſion, and explains it on the aſſumption that the whole proceeding was regulated according to the views and wiſhes of the Roman Catholics themſelves :—

"Of the very perſons againſt whoſe apprehended hoſtility new checks and ſafe-guards were to be deviſed. Mr. O'Connell wrote to his Dublin friends that ſuch was the liberal wiſh for conciliation in England that he himſelf was employed to draw the Bill! And though the dignity of our ſenators took fire at the intimation, the internal evidence proves, moſt concluſively, either that Mr. O'Connell ſaid what was literally correct, or at leaſt that he was allowed 'an effectual negative' on your deliberations. I ſuſpect that Dr. Doyle was alſo of the party; for the intereſts of his order were too amply and warily provided for, to have been altogether the work of laymen however liberal. In ſhort, nothing ſeems to have been inſiſted upon which the Roman Catholics could find any difficulty in yielding; if any objection on their part aroſe, the point itſelf was abandoned; and this whole proceſs of arranging the terms of the oath was no better than allowing you to march out with the honours of war, and ſparing you the ſhame of a ſurrender at diſcretion."

That this ſtatement is not overdrawn will be acknowledged by every one who has been at the pains to read the tranſactions of the Roman Catholic Aſſociation in Ireland; the boaſtfulneſs of its language, and the arrogance of its claims might well juſtify the fears of every well-wiſher of the State. The marvel is that miniſters ſhould have toyed with a danger which called for an immediate exerciſe of repreſſive

energy, and which, by being left unchecked, was deſtined, only two years later, to reaƈt upon the conſtitution with deſtruƈtive power. If no other merit belonged to this letter of Dr. Phillpotts; it would have at leaſt this claim on the gratitude of Engliſhmen, that it warned them of the danger towards which they were drifting.

Having ſhown the inſufficiency of the oath, he next goes on to examine the ſecond ſecurity. The bill proceeds to declare "that regulations touching the appointment of Biſhops and Deans of the Roman Catholic Church in Ireland are deemed neceſſary;" and truly enough he ſays, when the portentous powers poſſeſſed, and exerciſed, by theſe functionaries, in the preſent ſtate of that unhappy country, are borne in mind —ſtill more when it is recolleƈted who and of what chaƈter are ſome of the perſonages who now fill the ſtation of biſhops there, that one of them, under the ſignature of I. K. L.,* is by far the moſt daring and ſeditious libeller of the day—that another ſcruples not (if the public papers do not belie him) to addreſs an aſſembly of thouſands of the moſt ignorant of his countrymen in terms hardly ſhort of excitement to immediate inſurreƈtion, it will readily be conceded, that "regulations touching the appointment of them" are indeed "*neceſſary.*"

The bill of 1813 gave the Sovereign the power of ſignifying his approbation or diſapprobation of the

* James Kildare and Leighlin (Dr. Doyle).

appointment of Roman eccleſiaſtics in Ireland, but this important proviſion was omitted in the bill of 1825.

"Our Sovereign was not to be permitted to exerciſe any power whatever," ſays Dr. Phillpotts, "no, nor to poſſeſs the ſmalleſt influence, over this Iriſh hierarchy, though it is notorious that the ſchiſmatical Emperor of Ruſſia, and the heretical King of Pruſſia, exerciſe in the appointment of the Roman Catholic biſhops of their dominions a power far exceeding the utmoſt ever propoſed to be given to His Majeſty, and have each of them an accredited agent at Rome chiefly for the exerciſe of it."

It is worthy of remark that Pius VII, in 1816, had not thought it beneath the dignity of the Papacy to allow a veto to the Britiſh Sovereign, on the appointment of biſhops in Ireland. That, however, which was granted in days of weakneſs may, on the Roman theory, be revoked in days of power; and it was now propoſed that a Board of Commiſſioners ſhould be created, whoſe duty ſhould be "to certify to His Majeſty the appointment of any Biſhop or Dean, to be hereafter appointed in the ſaid Roman Catholic Church in Ireland." Dr. Phillpotts rightly ſays, "that, ſo far from this being a *ſecurity*, it was in reality a new and very important conceſſion, being, in fact, nothing elſe than giving them what the law has ſeen fit to withhold—the public and formal recognition of their rank and character of biſhops."

The ſtructure of this Board of Commiſſioners next occupies the attention of Dr. Phillpotts. The deſcription of it is conceived in his happieſt vein:—

"But of whom was the Board to conſiſt? *Solely* of the Roman Catholic Biſhops themſelves. Such men as thoſe to whoſe proceèdings I have juſt now adverted are to vouch for the loyalty of their future colleagues! Sir, I will not abuſe the patience of my readers by commenting on ſuch a proviſion. I will only entreat you to follow up your own principle, and recommend to your brother Secretary of State, Mr. Peel, that in his amendment of the criminal law he give us the benefit of this new ſecurity for our lives and properties, and provide that in future every perſon charged with felony ſhall be tried by a jury taken out of Newgate."

Dr. Phillpotts next comments on the remaining ſecurity—the power given to the board, conſiſting of Roman Catholic biſhops, of inſpecting and reporting upon bulls and other inſtruments from Rome; and ſhows that the real effect of this would be another great conceſſion. Independently of the extreme improbability of any bull from Rome appearing to them to be in any way injurious to the ſafety or tranquillity of the United Kingdom, or to the Proteſtant Eſtabliſhment in Church or State, it would give to the biſhops of the Roman Catholic Church in Ireland a legalized right to communicate, as they pleaſed, with the Pope, and to circulate, as they pleaſed, whatever mandates he might think fit, or be induced to iſſue. He then ſums up the merits of the propoſed meaſure as follows:—

"And now, Sir, having toiled through the bill, permit me to recapitulate the fair and full amount of the new 'ſecurities' therein deviſed. Two of the three proviſions which you are pleaſed to dignify by that name are found, in truth, to be new and large conceſſions to the Roman Catholics;

the other, the ſole remaining fruit of ſeven-and-twenty years of hard labour, given ſucceſſively by ſome of the acuteſt and moſt powerful intellects which England and Ireland have ever produced, to the momentous problem of 'combining Catholic freedom with Proteſtant ſecurity,' is the amendment of two clauſes of the Iriſh oath of 1793, by changing therein the conjunction *and* into *or*.

"Really, Sir, if the dignity of your ſtation and character did not forbid the ſuppoſition, I ſhould imagine that you had no other purpoſe in recommending ſuch proviſions than to laugh at the whole proceeding. But no: it comes from you in very ſober earneſt; and the moſt charitable way of viewing the whole matter is, to believe that you have ſo tied and hampered yourſelf with this unhappy queſtion, that you muſt ſee it diſpoſed of at any hazard. You dare not ſcrutinize the particular meaſure deviſed for the purpoſe, whether by yourſelf or others. You are afraid of looking into its details, leſt they ſhould be found too abſurd, or too miſchievous, for even the powers of your eloquence to make them decently producible to an aſſembly of educated Engliſhmen. You, therefore, diſpoſe of the whole of them in a lump; and the majority of the Houſe, equally tired of the queſtion, and equally committed upon it, with yourſelf, cheers you while you ſay that 'you will not now enter into the queſtion of ſecurities, further than obſerving that *you do not think we can have any better than thoſe propoſed.*'"

CHAPTER XII.

Dr. Phillpotts' Firſt Letter to Mr. Canning continued. The General Character of Mr. Canning's Speech in ſupport of the Roman Catholic Relief Bill of 1825. *The Oath againſt Tranſubſtantiation aſſailed. The Arguments of thoſe who deſired its Repeal. Their Fallacy expoſed. The True Statement of the Caſe. Anſwer of Dr. Phillpotts to Mr. Canning's Remarks on Tranſubſtantiation. Advantage of ſelecting that Doctrine as a Teſt. Treatment to which Oaths of Allegiance to Temporal Sovereigns are obnoxious at the hands of Roman Catholics. The Oath of* 3 *James I. The Gunpowder Treaſon not the only Cauſe of it. Objections againſt the Athanaſian Creed. Mr. Canning's Uſe of it admirably illuſtrated by Dr. Phillpotts. Object of the Creed explained. Doctrines of Roman Catholics render them unfit to legiſlate for Eſtabliſhed Church. Fallacy of ſuppoſing that Roman Catholic Laymen, if admitted into Parliament, would not buſy themſelves with Eccleſiaſtical Queſtions. Doctrine of Abſolution enforced. The Roman Catholic Doctrine of the Merit of Good Works. How uſed by Mr. Canning. Calviniſts and Roman Catholics contraſted. The Pope's Supremacy not merely a Spiritual Queſtion. Specious Arguments of Roman Catholics. Different Foundations of Papal Authority in different Countries. The Council of Florence. Doctrine of Papal Supremacy not likely to receive much Favour in England. Danger of its Reception in Ireland. The Bulls "Unam ſanctam" and "Unigenitus." The Peril of admitting to a Share in the Legiſlature thoſe who hold the Doctrine. The Pope determines the Point at which the Allegiance of Subjects to their Sovereign ceaſes. The Fourth Lateran Council on the Depoſition of Kings. Dr. Phillpotts fully juſtified in his Remarks upon the Pope's Supremacy.*

R. PHILLPOTTS then proceeds to examine the chief points in Mr. Canning's ſpeech in ſupport of the Roman Catholic Relief Bill of 1825, the merits of which he had juſt ſubmitted to ſo ſevere a ſcrutiny.

The general character of it is thus deſcribed by him :—

"And here, Sir, I cannot but expreſs my aſtoniſhment that ſuch a ſpeech ſhould ever have iſſued from your lips. That there are in it, as there muſt always be in every conſiderable effort of yours, proofs of uncommon talent, ſplendid imagery, felicitous expreſſion, I need not ſay. But the total abſence of everything like reaſoning, the careful avoidance of all grappling with the real difficulties of your ſubject, the fabrication of fooliſh objections for the mere purpoſe of knocking them down; above all, the tone of exaggeration, of forced paſſion, of idle menace, nay, of palpable contradiction which mainly diſtinguiſh it, form ſuch a contraſt to your happier, I ſhould ſay your ordinary, ſtyle, as to give it the air of traveſtie, rather than of a genuine production of your rare genius. I am not ignorant that it was characterized by one of the ableſt of your hearers as 'unanſwerable;' but in ſober truth I can hardly imagine a more amuſing exhibition than an anſwer to it from yourſelf. How would the unhappy wight who had ventured in your hearing to utter ſuch an harangue in oppoſition to you have been made to wince, and writhe, and groan, under the ſting of your ſarcaſtic tongue! You would have ſilenced him for the remainder of the ſeſſion."

The chief efforts of the ſupporters of the bill were directed againſt the application of a religious teſt as a qualification for the enjoyment of political privileges. The oath againſt Tranſubſtantiation, therefore, had to meet the firſt aſſault. Why, it was argued, ſhould religion be made a crime, and perjury a qualification for office? The treatment of the Roman Catholics was contrary to the principles of all Government, ſince no Government has a right to eſtabliſh an inquiſition

into the thoughts of men, nor to puniſh any one purely for religion. As to the qualifying oath, it was ſaid that a Diſſenter of any kind, or even a Deiſt or Atheiſt, might take it, while the Roman Catholics alone were excepted. Why, then, ſhould the doctrine of Tranſubſtantiation be ſelected as a particular ſubject for denunciation and abhorrence? A man might believe in Jupiter or Oſiris, in all the hoſt of heaven, and all the creeping things in the earth, and yet enjoy the honours and emoluments of thoſe offices from which the Roman Catholic was excluded. Was this right—was it reaſonable? Should a man be puniſhed for believing too much? Should there be any other teſt than to allow every man to follow his own form of religion, without reſtriction and limitation, ſo long as he continued to live a peaceable member of the ſtate? Such was a plauſible way of ſtating the caſe; and, tranſparent as is its fallacy, it found much favour, even with people who ought to have been able to diſtinguiſh ſophiſtry from reaſon. It was all very well to aſk, Was the Roman Catholic likely to be a worſe legiſlator than the Deiſt?—and, if not, to what was his diſqualification to be traced? The anſwer was eaſy. The Roman Catholic was not diſqualified *becauſe* he held certain doctrines, but becauſe the Church which taught theſe doctrines committed him to a political combination inimical to the State, and which was liable to make him at any moment the tool of a foreign and hoſtile power. The Roman Catholic, then, was excluded from office, not becauſe his religion was con-

ſidered as his crime, but becauſe it was looked upon as evidence of his poſſible, and not improbable, diſloyalty. Lamentable, therefore, as it muſt always be to offer a religious teſt, and, more particularly, one involving the deepeſt myſtery of religion, to candidates for office under Government, ſuch a teſt had been thought to be neceſſary; and, if neceſſary, it would be hard to find one more ſearching in effect than the denial of Tranſubſtantiation,—a doctrine interwoven with the entire ſyſtem of the Roman Church. A ſubſtitution for this oath, ſuggeſted by Dr. Phillpotts, and which puts the queſtion upon its proper baſis, occurs further on. Meanwhile, the danger of thinking lightly of this oath, as Mr. Canning and his adherents ſought to do, or of aboliſhing it without receiving in return ample ſecurities for the loyalty of Roman Catholics, is forcibly ſet forth by Dr. Phillpotts.

In the courſe of his ſpeech, Mr. Canning remarked that, while a man was excluded from Parliament for his belief in Tranſubſtantiation, one who believed in Conſubſtantiation enjoyed every privilege of the Conſtitution. Without aſſerting that there was no difference between the two opinions, he added, that "the man who could make it a ground of excluſion from political power muſt have a minute perception of the niceties of ratiocination, for which he might be envied as a logician, but which was wholly uſeleſs for the purpoſes of common life."

Dr. Phillpotts ſhows the value of this ſtatement by putting a parallel caſe:—

"In order to protect the Bank of England from forgery, it is highly penal 'for any one to have in his poſſeſſion a frame for making paper with waved lines.' Imagine, then, ſome ſagacious country gentleman, freſh from Burn, to come down to the Houſe, and denounce, with becoming ſelf-complacency, the monſtrous injuſtice, that while ſtraight-lined paper may be made with impunity, any honeſt man who happens to have a curved-line frame in his houſe is liable to be ſent to Botany Bay. 'I do not deny,' ſays he, 'that there is a difference between ſtraight and waved lines; but the man who thinks that difference ſo great that the poſſeſſor of the waved-line frame is unfit to abide in the ſame hemiſphere with him of the ſtraight, has an acuteneſs of ſenſibility to lineal rectitude which, however it may demand our admiration, is utterly unfit for ordinary life.'"

But there was one advantage in ſelecting Tranſubſtantiation as a teſt—it was a doctrine which might not be diſſembled. While Roman Catholics, therefore, might find authorities to ſupport them in practiſing mental reſervation with reference to any oath, even if it were that of allegiance or ſupremacy to the King, the doctrine of Tranſubſtantiation was one upon which it was not lawful to equivocate or diſſemble. So far, then, the teſt was adopted with great ſagacity. Dr. Phillpotts gives one or two examples of the ſort of management to which oaths of allegiance to temporal ſovereigns (on Roman Catholic principles) are obnoxious:—

"In the firſt place, any one who holds the ſupreme power of the Pope, even in temporal matters, may ſafely ſwear that he has 'no temporal or civil power, direct or indirect, within this realm,' becauſe his power, though it operates in temporal matters, is not temporal, but ſpiritual. Again, by any general, though negative declaration, againſt any authority

in general to be in the Pope, is only intended to deny his having an *ordinary* authority; it does not extend to his extraordinary, caſual, celeſtial, divine authority, on great and unuſual contingencies. Once more, there is a very important diſtinction between the *ſpecificative* and *re-duplicative* ſenſe. This will be beſt explained by an example. In Father Walſh's time, the Iriſh clergy were willing to ſubſcribe to this propoſition:—'It is our doctrine, that we ſubjects owe ſo natural and juſt obedience to our King, that no power, under any pretext ſoever, can ever diſpenſe with or free us of the ſame.' Here, the re-duplicative ſenſe applies to '*we ſubjects*,' that is, *while* we are ſubjects—which we ſhall not be when the Pope, by a judicial proceſs, or bull, ſhall denounce the King excommunicated and deprived of the crown. The re-duplicative ſenſe applies alſo to 'our King,' that is, *while* he is our King, &c. Such were the principles of the congregation of Iriſh clergy in 1666, according to this honeſt Franciſcan. Nor would they be moved from them by the precepts of the Apoſtles commanding obedience to the civil powers, even under the reigns of the moſt tyrannical emperors. 'They ſay, with Bellarmine,' (theſe are Walſh's words) '*the Apoſtles*, with the Fathers and other primitive Chriſtians, *diſſembled on this point, becauſe they had not ſtrength enough of men and arms to oppoſe.*' In what degree the living generation of Iriſh prieſts may have departed from theſe principles of their predeceſſors, is more than I can preſume to ſay. If charity teaches us to hope the beſt, it does not forbid us to take all reaſonable precaution againſt the worſt."

Dr. Phillpotts next proceeds to conſider the Oath for Roman Catholics preſcribed by 3 James I, c. 4. s. 15,* which had been deſcribed by Mr. Canning as a "taunt" againſt their religion. So far from this

* See Appendix C.

being the caſe, he ſhows, moſt concluſively, that its object was not to affix a brand on any loyal ſubject, but to protect the State againſt the machinations of thoſe who were agents of foreign powers. After ſtating that the Gunpowder Treaſon was the proximate cauſe of this oath being impoſed, he alleges that, though the proximate, it was very far from being the only, cauſe.

"That Treaſon itſelf was, in truth, a natural fruit of the doctrines then almoſt univerſally taught in the Church of Rome. In particular, as you need not to be informed, ſeminaries were founded and endowed at Rheims, at Douay, at Rome itſelf, for the education of Engliſh Prieſts; whoſe firſt duty it was to poiſon the minds of their people againſt the heretical government under which they lived. The right of deſtroying heretics was (I wiſh I could ſay that it no longer is) a part of the Canon Law; that right had been recently exerciſed againſt the ſacred perſons of ſovereign princes. The ſame Canon Law (as we have already ſeen) held, and ſtill holds, it a venial offence to put to death an excommunicated perſon, whatever be his ſtation, provided that *it be done from zeal for religion.*

"Theſe, and ſuch as theſe, were the reaſons for impoſing this oath, which you have thought fit to deſcribe as an idle taunt."

The next topic in Dr. Phillpotts' letter deſerves ſpecial attention, if only for the maſterly way in which he deals with objections which are raiſed againſt the Athanaſian Creed on the ſcore of its illiberality.* Generation after generation are theſe objections revived, and

* See "Letter to Lord Grey on the Teſt Act," page 38.

ſucceſſive attempts at legiſlation (abortive up to the preſent time, through God's mercy) teſtify to the reſtleſſneſs with which man's unchaſtened ſpirit ſubmits to anything like dogmatic enunciation of truth. When ſpeaking of the doctrine of excluſive ſalvation, as held by Roman Catholics, Mr. Canning had brought forward the Athanaſian Creed, which expreſſly declares "that they who differ from it cannot be ſaved,"* as an argument why Roman Catholics ſhould not be "excluded from the enjoyment of their civil rights, on the ground of believing the doctrine of excluſion."

The attempted parallelism affords to Dr. Phillpotts the opportunity of dealing upon his adverſary ſome terrible blows.

"Sir, the laws of the old Athenian legiſlator Draco were ſaid to be written in blood: for he annexed the penalty of death to every offence whatever. Suppoſe, now, that a citizen of Megara had obſerved to a friend at Athens, on the cruelty of this ſanguinary code—'This is a dreadful ſyſtem of yours, to put a man to death for ſtealing a few figs, or breaking into his neighbour's olive ground.' 'Why, my dear friend,' anſwers the Athenian, 'how can you talk ſo abſurdly? Did not you yourſelf hang a man laſt week for murder?' This, Sir, affords but a very faint illuſtration of the wiſdom of putting our uſe of the Athanaſian Creed on a par with the tyrannical and intolerant principles of the Church of Rome. That Church, among a thouſand ſimilar extravagancies, ſentences a man to the loſs of all hope of Chriſtian ſalvation who ſays that it is contrary to the inſtitution of Chriſt *to mix water with wine* at the holy Communion: the Church of England, in the Athanaſian Creed,

* Mr. Canning's Speech.

pronounces the ſame of one who impugns the fundamental truths of Chriſtianity; and you are pleaſed to ſay, that this deprives us of all right to find fault with the excluſive ſpirit of Rome.

"As to the Athanaſian Creed being 'a human *expoſition* of the great myſteries of Chriſtianity,' you muſt forgive my telling you that, if you had taken the trouble of acquainting yourſelf with the nature of that formulary, you would not have thought it a fit ſubject of ſneer or banter. The Athanaſian Creed is not an *expoſition* of any myſteries; it does not aim at anything ſo abſurd. But it *ſtates* the fundamental doctrines of the Goſpel, and, in reſpect to the doctrine of the Trinity, accompanies the ſtatement with certain diſtinctions, which were rendered neceſſary by the attempts of heretics to corrupt the doctrine itſelf by their own daring innovations. It alſo accompanies its ſtatement with denouncing the awful ſentence on unbelievers which our Lord Himſelf denounced, when He gave to His Apoſtles the ſolemn charge 'to go and preach the Goſpel to every creature.' 'He that believeth not ſhall be damned.'

"You will perceive, therefore, that the main queſtion reſpecting the Athanaſian Creed is, firſt, whether its doctrines be true; ſecondly, whether they be fundamental. The Church of England holds them to be both true and fundamental, and therefore ſcruples not to receive and uſe the Creed, notwithſtanding the ſtrong terms in which the danger of unbelief is there ſet forth."

The real complaint againſt the Church of Rome Dr. Phillpotts declares to be, not that it excludes from ſalvation thoſe who impugn doctrines which it thinks fundamental, but that it teaches its members to regard every other Church but its own as neceſſarily leading to perdition. Now, as one of the objects of Parliament is "to conſult for the ſafety and defence of the

Church of England,"* it is manifeſtly inconſiſtent with the ſpirit of the Conſtitution that members of the Roman communion ſhould be entruſted with the legiſlative powers of the State, when thoſe powers muſt neceſſarily be exerciſed, if their own principles are carried out, to the detriment of the National Church.

"This, Sir," ſays Dr. Phillpotts, "is the argument for excluding Roman Catholics from Parliament, which we found on their doctrine of excluſive ſalvation; and you will, I am ſure, perceive that it remains completely untouched by your pleaſant commentary on the Athanaſian Creed."

But while it was felt that the doctrines of the Roman Church, if acted upon, would make it unſafe that members of that communion ſhould be entruſted with a voice in the legiſlature of the country, yet it was argued that thoſe Roman Catholic laymen who might obtain a ſeat in Parliament would not be likely to trouble themſelves with queſtions relating to the National Church. Dr. Phillpotts forcibly enough remarks:—

"Sir, I certainly will not inſult the members of a different communion by ſpeaking or thinking ſo ill of them as to ſuppoſe that if they hold the doctrine of their Church in this particular, it will be perfectly inoperative. On the contrary, thoſe who really hold it muſt feel every inducement and temptation to act upon it; their ſpiritual inſtructors will be ready enough to appriſe them of this duty, and their own paſſions will make them very willing to acquire the merit of obeying it. In a Church which keeps ſo accurate a ledger of each individual's merits and demerits, and allows ſo large

* Writ of Summons.

a premium on acts of obedience to itſelf, we may be quite ſure that there will be no want of inclination to comply with ſo eaſy a demand. It may be ſaid, however, that there are many profeſſed members of the Church of Rome, who do not hold this doctrine, whatever their Church may tell them. I really believe that there is much truth in this obſervation, and if you could aſcertain correctly who theſe are, I for one ſhould not be afraid of ſeeing ſuch men in Parliament. But in the meanwhile it is quite idle to ſpeculate on the poſſible conduct of theſe mere *entes rationis.*"

The doctrine of Abſolution next engages Dr. Phillpotts' attention. Mr. Canning, for the purpoſe of ſoftening down the Roman practice and its conſequences, had ſtated that in the abſtract the doctrine was "*abſurd.*"

"I truſt, Sir," ſays Dr. Phillpotts, "that you meant to confine your cenſure to the extravagant doctrine of the Church of Rome; not to extend it (as your words ſeem to imply) to abſolution generally: for if the latter were intended, I am bound to tell you, that, in the plenitude of your parliamentary privilege, you have preſumed to viſit with your ban one of the moſt ſolemn acts and declarations of our bleſſed Lord Himſelf. After His reſurrection from the dead, when 'all power had been given to Him in heaven and in earth,' He conferred on His apoſtles and, in them, on their ſucceſſors to the end of time, the power of abſolution, ſoberly and ſoundly underſtood."

The next topic in the letter relates to the "overweening value" which, as Mr. Canning affirmed, Roman Catholics attach to the merits of good works.

"I will boldly venture to aſſert," ſays Dr. Phillpotts, "and to appeal to your own better recollection for the truth of the aſſertion, that you never yet met with man, woman,

or child, quite ſo ſilly as to advance this objection, which you are pleaſed to honour with a moſt grave, laboured, hiſtorical, theological, and (need I add) triumphant reply. But how, it may be aſked, can ſo portentous an hallucination have come over you? I will here hazard a conjecture. It is not improbable that in the courſe of your morning's reading, preparatory to a debate which was to crown your other high diſtinctions with the honours of a dilettanti degree in divinity, you happened to find that one of the charges ſometimes brought againſt the Church of Rome was the exceſſive value aſcribed by it to the works of man. This theological objection you haſtily miſtook for a political one. And how was it to be treated? A man of ordinary genius would have been content to ſay, that however erroneous the tenet might be, its obvious tendency is to render thoſe who hold it good and uſeful ſubjects; that it is the height of injuſtice, therefore, to make it, in any degree, a plea for abridging their political privileges. But this was very far from ſatisfying your aſpirations. You aimed at higher glory than a dull matter-of-fact argument, however convincing, could beſtow. You were pleaſed, therefore, to contraſt the alleged error of the Church of Rome with what you, I doubt not, ſeriouſly believe to be a notion of the modern Calviniſts. 'Would it not,' you ſay, 'be more dangerous to a ſtate to make *good works nothing* and faith everything? I prefer the man who inſiſts on the neceſſity of good works as part of his religious creed, to the man *who conſiders himſelf controlled in all his actions by an inexorable fate.*'"

Mr. Canning then contraſts the Calviniſts of Charles the Firſt's time with the Roman Catholics of his own, demanding who were they who brought the monarch to the block? and who ſtripped epiſcopacy of all its ſpiritual authority and temporal poſſeſſions? The anſwer to theſe queſtions is, of courſe, not the Papiſts—

who, in Mr. Canning's eſtimation, are a lamblike, unoffending ſet of men,—but the Calviniſts, who were moſt violently oppoſed to them.

Dr. Phillpotts retorts:—

"Your argument now ſtands thus; becauſe great miſchief was inflicted on our Church and nation by one ſet of madmen two hundred years ago, therefore it is unjuſt or fooliſh, or both, to guard againſt the avowed hoſtility of another claſs of enemies in our own days; becauſe the Dutch fleet burned Chatham in the ſeventeenth century, therefore none of our dockyards ought to be protected againſt a French fleet in the nineteenth.

"I am afraid, Sir, we gain but little by this improvement of the argument. Leaving, therefore, this very favourite piece of eloquence (for ſo the cheers which attended it prove it to have been) to the ſatisfaction of yourſelf and the admiration of your hearers; I will remind you of a real political objection againſt the Roman Catholics, founded on the value they attach to good works, but then it is to the good works of others, not their own—and conſequently it has no tendency to improve either their loyalty or their morals. On the merit of the ſupernumerary ſatisfactions of departed ſaints, the doctrine of indulgences—remiſſion, that is, of the pains of purgatory—has been built. Theſe indulgences have often been employed in Ireland as means to ſtimulate and reward the diſloyalty of the people to their heretical Sovereigns."

Dr. Phillpotts next proceeds to examine the doctrine of the Pope's ſupremacy. And this muſt not be thought to be merely a *ſpiritual* queſtion, ſurrounded with entanglements which the ſubtleſt theologians have hitherto been unable to unravel. It has its *political* bearings alſo, and thoſe of ſuch magnitude and impor-

tance, that no ſtateſman can ſafely overlook them. On behalf of the Roman Catholics it was urged that they acknowledged all the principles of the Conſtitution, and lived as peaceful ſubjects, in obedience to the laws. How could they, then, attribute to the Pope any abſolute power, or any temporal authority, as interfering with the conſtitution and laws? The only ſupremacy which they acknowledged in the Pope was *purely ſpiritual.* The allegiance which they paid to the Holy Father had not hindered them from ſhedding their blood, at their country's call, upon every battle-field of Europe; and were they ſtill to be charged with diſaffection, and ſuſpected of revolt?

Now, if all this had been ſtrictly true, the Roman Catholic would have had much indeed to complain of. But argue as ſtateſmen might, they could not gainſay the fact that the authority claimed by the Pope, when carried to its legitimate reſults, ended in *temporal* dominion, none the leſs galling becauſe it happened to be *eccleſiaſtical.* It is to this point that Dr. Phillpotts addreſſes himſelf with ſingular clearneſs and vigour.

Mr. Canning had declared that he ſaw no valid objection in the argument drawn from the belief in the ſpiritual ſupremacy of the Pope. In his judgment the queſtion was not whether this doctrine was acted upon by Roman Catholics, but whether it was acted upon in ſuch a way as to make them dangerous to the State.

Dr. Phillpotts proceeds, in the firſt place, to ſhow

that different foundations of Papal authority exiſt in different countries. His obſervations on this point are very valuable.

"The French look to the Councils of Conſtance, Piſa, and Baſil, not only as truly œcumenical, but as having ſo fixed the ſuperiority of Councils over the Pope, and in other reſpects ſo limited his power, that not even the decrees of ſubſequent Councils, much leſs the conſtitutions of Popes themſelves, can work any material change in the principles there eſtabliſhed. But beſides this general ſecurity they procured for themſelves what was called 'the pragmatic ſanction,' which recognized on the part of Rome a very large meaſure of independence in the Church of France, and though this pragmatic ſanction was afterwards diſplaced by a leſs favourable inſtrument,—the concordat between Francis I. and Leo X,—ſtill the reſult has been the eſtabliſhment of ſo ſtrong a barrier againſt the worſt uſurpations of Rome, that the liberties of the Gallican Church have formed a proud exception to the general ſtate of ſpiritual bondage, in which other countries of that communion have been all, more or leſs, enthralled. For by the reſt, the acts of the councils, which I have mentioned above (excepting the decrees of Conſtance againſt heretics) were all rejected; and in their place the decrees of the Council of Florence (which was held by Eugenius IV. at the ſame time with the Council of Baſil, and in expreſs oppoſition to it) were univerſally received. Now, the Fathers of Florence aſcribed ſo large and ſweeping an authority to the Pope, that the French have not only uniformly refuſed to recognize this council as valid, but when at Trent there was an attempt to obtain the re-enactment of the Florentine Decree, the Cardinal of Lorraine, and the other French prelates, poſitively declared, that they would quit the council, and proteſt againſt its decrees, unleſs the meaſure were abandoned."

Dr. Phillpotts then quotes the Decree of the Council of Florence * as the recognized ſtandard of orthodoxy on the doctrine of the Pope's ſupremacy.

"'We define, that the Holy Apoſtolic See, and the Roman Pontiff, have a primacy over the whole world, and that the Roman Pontiff himſelf is the ſucceſſor of S. Peter, the chief of the Apoſtles, and true Vicar (or repreſentative, τοποτηρήτης) of Chriſt, and that he is head of the whole Church, and the Father and Teacher of all Chriſtians; and that to him in S. Peter was delegated, by our Lord Jeſus Chriſt, full power to *feed, rule, and govern* the univerſal Church; as alſo is contained in the Acts of General Councils, and in the holy canons.'"

Dr. Phillpotts then proceeds:—

"On the authority of this decree, it is not wonderful that the moſt inordinate extent of power has often been claimed by the Popes, and too often conceded to them. It is admitted by thoſe who are moſt eager to ſoften the harſher features of the papal ſyſtem, by Mr. C. Butler in particular, that the ultramontane doctrine, as it is called, the aſſertion of the Pope's right to ſupreme power, whether direct or indirect, in all the temporal concerns of ſtates, the power of depoſing ſovereigns, of interfering with the rights and duties of ſubjects, may here find apparent ſupport. That doctrine is not contradicted by any eccleſiaſtical authority, it is favoured at Rome,—and, everywhere elſe, it is tolerated by thoſe who do not aſſent to it. We may be aſtoniſhed at this; we may think it impoſſible for any, who diſſent from a doctrine ſo pregnant with crime and miſchief of the moſt

* The Council of Florence was firſt aſſembled at Ferrara by Eugenius IV, who attempted to tranſlate the Council of Baſle thither in 1437. Two years later the Council of Ferrara was tranſlated to Florence.

gigantic kind, to eſteem it worthy of toleration and endurance. But ſo it is; individuals may diſclaim the doctrine for themſelves; but, as we have already ſeen, they are not permitted to condemn it as contrary to religion."

That the doctrine of the Papal ſupremacy, when carried to its extravagant reſults, would not be likely to gain much favour in England is admitted by Dr. Phillpotts; but he maintains that the caſe is different in reference to Ireland, where the moſt audacious claims of the Pope are acknowledged and reſpected. As a proof of this he inſtances the Bull *Unam ſanctam*, included in the claſs-book at Maynooth, which teaches that it is altogether a point neceſſary to ſalvation for every creature to be ſubject to the Roman Pontiff. One would imagine that the profanity of this aſſumption would cauſe it at once to be rejected by all who profeſs reſpect for the principles of religion; but ſo far from this—

"It is the doctrine," ſays Dr. Phillpotts, "now taught to the ſtudents who are training in the College at Maynooth for the miniſtry in Ireland, and thoſe among them who ſhall follow their own common ſenſe, (which, be it remembered, they are in this particular freely permitted to do,) and ſhall underſtand the Bull of Boniface according to the plain meaning of the words, and the confeſſed intention of the writer, will here find a complete and infallible authority for preaching the ſupreme power of the Church in temporals in its fulleſt extent."

The Bull *Unigenitus*, and the canonization of Pius V, for depoſing Queen Elizabeth are next referred to, for the purpoſe of ſhowing that the Papal ſupremacy is no mere empty claim.

"Sir, I muſt think," ſays Dr. Phillpotts, "that a claim to ſupremacy ſuch as this, acknowledged and acted upon by all the eccleſiaſtics in communion with Rome—entering into, and directing, their devotions—hallowed by aſſociation with all that is moſt ſacred in their religion,—is not a matter to be treated with contempt."

He then proceeds to ſhow the danger likely to ariſe out of the doctrine of the Pope's ſupremacy, from a conſideration of the fact that the power of determining the preciſe point at which the allegiance of ſubjects towards their ſovereign terminates reſts with him alone.

"Now, Sir, can any Government be ſafe if its ſubjects are thus at liberty to apply to any authority, foreign or domeſtic, to aſcertain whether and when their duty of allegiance has ceaſed? Certainly the danger is not leſſened, but greatly increaſed, by that authority being eccleſiaſtical, for a ſacredneſs is thus thrown about it, which makes its reſponſes infinitely more venerable and convincing than any merely human ſanctions could ever give. But the conſideration of greateſt moment in the account is this,—that there is a ſpecific quarter to which reſort may be had for the ſolution of the doubt. This muſt facilitate the application for the ſolution, and, ſtill more, muſt facilitate and encourage the growth of the doubt itſelf. Where the conſcience of the individual muſt decide, if he be indeed conſcientious, he will of courſe be ſo deeply impreſſed with the ſacredneſs of the obligation under which his oath has laid him, that he will be eager to keep down every naſcent ſurmiſe unfavourable to his ſworn allegiance; nothing but the ſtrongeſt and the moſt palpable caſe of tyranny will overcome his honeſt ſcruples. But if there be an eccleſiaſtical ſuperior who can authoritatively pronounce on the validity of his ſurmiſe, he feels himſelf quite at liberty to give it a full and free vent; to communicate

it to that ſuperior, and in communicating to ſet it forth in the ſtrongeſt colours, and ſo to confirm and augment its native force. Beſides, if there were no external quarter to which to have recourſe for ſolution of ſuch doubts, every individual muſt be inclined to keep them to himſelf, until the caſe be of ſo grave and overpowering a neceſſity as to unite the whole maſs of the people in one common feeling. On all theſe as well as other accounts the doctrine of the ſupremacy of the Pope is one which muſt make every wiſe legiſlature, particularly every Proteſtant legiſlature, cautious how they increaſe the power of thoſe who hold it; and can this ſeem of little moment when Iriſh Roman Catholic biſhops, who to the maſs of their people muſt appear to ſpeak with authority ſcarcely leſs ſacred than that of the Pope himſelf, are deſcribing an intolerable tyranny as even now exerciſed by the government of their own land?"

Such, then, being the claims put forward by the Roman Church, it is evident that the queſtion of the Pope's ſupremacy can never be a matter of indifference to any ſtateſman who labours for the honour and independence of his country. Nor muſt it be imagined that Dr. Phillpotts has, for the ſake of indulging his ſatire, at all overſtated Roman pretenſions. The fourth, or great Lateran Council, which was preſided over by Pope Innocent III, declares—

"That the ſecular powers ſhall be admoniſhed, and, if neceſſary, be compelled by eccleſiaſtical cenſures, to make oath that they will, to the utmoſt of their power, ſtrive to exterminate from their territory all heretics, declared to be ſuch by the Church; and further, that if any temporal lord being required and admoniſhed by the Church, ſhall neglect to purge his territory from all taint of hereſy, he ſhall be excommunicated by the metropolitans and other provincial

biſhops; and if he contemptuouſly omit to give ſatisfaction within a year, it ſhall be ſignified to the holy Pontiff, in order that he may thenceforth proclaim his vaſſals abſolved from fealty to him, and may expoſe to Catholics his territory to be occupied by them who, having exterminated the heretics, may poſſeſs the ſame without contradiction."

After this authoritative approval of wholeſale murder and ſpoliation, it would be vain to ſhut one's eyes to the monſtrous reſults which might well follow from Roman claims. Nor will it be thought that Dr. Phillpotts has ſpoken too ſtrongly in pointing out the danger which would ariſe if the queſtion of the Pope's ſupremacy were treated as belonging merely to the region of ſpirituals.

CHAPTER XIII.

The Letter to Mr. Canning continued. The Errors of the Roman Catholics charged upon "our Perſecution." The excited ſtate of the Country cauſed the wildeſt Statements to be received. Extract from Speech of Mr. Grattan. The Cry of Perſecution deſtitute of all Foundation. Shown by reference to the Laity's Directory. *Extracts from that Work, ſhowing the Gratitude of Roman Catholics for the Conceſſions which had been made to them. The Rapid Strides made by that Body in England. An Account of their Hierarchy, Colleges, Monaſteries, and Convents. Dr. Phillpotts expoſes the Diſhoneſty of the Cry of Perſecution. Examples. The Power of the Prieſthood in Ireland. Its Abuſe. "The Prieſt's Curſe." Conduct of the Roman Catholic Biſhops. A Teſt ſuggeſted by Dr. Phillpotts in place of Denial of the Doctrine of Tranſubſtantiation. Difficulty of coming to an Arrangement with the Roman Catholics deſcribed by Lord Eldon. Dr. Phillpotts' later Opinion of his ſuggeſted Teſt. His Regret that it had never been changed from a Speculative to a Practical Form. A more Elaborate Scheme of Legiſlation on this Subject propoſed by Dr. Phillpotts. A Deſcription of it. Concluſion of Firſt Letter to Mr. Canning. Its Effect upon that Stateſman. Opinion of the* Edinburgh Review. *Conduct of Mr. Canning's Friends.*

THE next portion of Dr. Phillpotts' Letter is directed againſt a ſtatement made by Mr. Canning, that the errors of the Roman Catholics, particularly in Ireland, were due to "*our perſecution.*" A ſtrange charge it may be thought; but in making it this gifted ſtateſman was only echoing a popular cry.

Like men of leſs perception, he had ſuffered his reaſon to be led captive by idle clamour. A ſpell was on the nation, and the loftieſt intellects were proſtrated by its power. No falſehood was too improbable to be believed. The wildeſt ſtories were related as if they were the moſt ſober truths. Not merely had the Iriſh Roman Catholics been cruſhed, ſo it was ſaid, but their Church had been depreſſed, to make room for that which they believed to be no Church, the very exiſtence of which was only ſecured by diſqualifying the people, and compelling them at the ſame time to pay for its ſupport.

"A Church ſuch as this," ſaid one of their warmeſt advocates,* "could not be called Chriſtianity. It would be a Church of ambition, of avarice, of bigotry, and intolerance; a Church baptized in the iniquities of mankind, and wickedly apoſtatiſing from God; a Church bearing the vices and policy of man in one hand, and the people and God in the other."

If ſuch was the language held by ſtateſmen and ſenators, it is little wonder that it ſhould find a ready reſponſe in the breaſts of the ignorant and diſaffected. It was not the firſt time in hiſtory that political capital had been realized out of the cry of intolerance and *perſecution*. But never, ſurely, was ſuch a cry raiſed with ſo little reaſon. The notion of perſecution was merely an after-thought of the Roman Catholics to compaſs their ends. Already had their

* Mr. Grattan.

gains been not a few, and now, that they could quietly count them over, they were greedy of more. Dr. Phillpotts ſhowed the abſurdity of this clamour, and the evidence of Dr. Moylan, as cited by him, was an arrow fledged with their own feathers. But in addition to this, a Roman Catholic almanack, called "The Laity's Directory, publiſhed by authority," contains ſome curious and inſtructive evidence as to the way in which the conceſſions, which from time to time had been made in favour of the Roman Catholics, were received among them. The teſtimony is valuable as coming from a ſource which they themſelves are bound to reſpect.

"In 1778," according to the *Laity's Directory*, "the Roman Catholics of England were freed from a part of the galling penalties and reſtraints which, through miſconception of their principles and conduct, had been accumulating upon them during the greater part of two centuries and a-half."

This Act is deſcribed by Biſhop Walmſley, in a letter addreſſed on the occaſion to the Roman Catholic clergy of the weſtern diſtrict, as "*an extraordinary favour*," ſhowing "the great humanity of government towards them," and "ſuggeſting a propriety of behaviour on their part, in uſing *the preſent indulgence* with caution, prudence, and moderation."

"In 1791," according to the ſame Directory, "a partial enjoyment of the rights of free ſubjects was extended to them [the Roman Catholics] by the legiſlature, and in particular they were indulged with the important privileges of

educating their children in their own religion, and of practiſing it in all its eſſential duties, except the Sacrament of Matrimony."

Upon the paſſing of this Act, Biſhop Douglas addreſſed a paſtoral to the clergy and laity of the London diſtrict, ſaying that "the day was at length arrived, when he could congratulate them on the greateſt of bleſſings—*the free exerciſe of their religion*"—ſince "*a humane and generous legiſlature* had ſeen the oppreſſion under which they laboured, and, by an act worthy of its enlightened wiſdom, *had redreſſed the grievances* of which they complained." He then goes on to ſay that—

"As their EMANCIPATION from penal laws muſt awaken every feeling of a grateful mind, they ſhould haſten to correſpond on their part with the benignity of government; to give to their gracious Sovereign the teſt of loyalty which the legiſlature called for, and diſclaim every principle dangerous to ſociety, and to civil liberty, which had been erroneouſly imputed to them."

Biſhop Gibſon alſo ſpoke of "*the mildneſs* and condeſcenſion of the legiſlature," and called upon the Roman Catholics of the northern diſtrict "to expreſs their obligations and gratitude for it." Biſhop Talbot praiſed the king as "the beſt of ſovereigns," and "the legiſlature" as "*indulgent, compaſſionate, enlightened and wiſe.*" And "upon the Duke of Cumberland viſiting Rome (*Laity's Directory*, 1793), the Pope deſired him to convey to his Royal Father expreſſions of thankfulneſs for the indulgences lately granted to the Roman Catholics of England," expreſſing "his

wiſh that every member of the legiſlature ſhould be informed of the grateful ſenſe in which that indulgence was held."

In the year 1792 a great number of the French clergy, who had been baniſhed from their own country, ſought refuge in England, where they were not only received with great hoſpitality, but a ſubſcription was ſet on foot for their relief, and was enforced by a royal letter. To commemorate this act of national benevolence, the Pope iſſued a brief, dated Rome, September 2, 1793, in which he deſcribed it as "a glorious deſign," and went on to ſay that "the King's humanity and munificence *ſhould ever be remembered with the ſincereſt gratitude.*"

In 1794 many religious communities, driven from their homes by the French Revolution, ſought refuge in England.

"The Benedictine Dames of Bruſſels," ſays the Directory, "landed at S. Katherine's ſtairs, July the 6th, where they met *with the utmoſt humanity and reſpect, even from the loweſt ranks of Engliſhmen.*"

Again:—

"The Benedictine Dames of Ghent received from the Duke of York, during the late campaign, on every occaſion, the *kindeſt protection;* and from Britiſh officers and ſoldiers in general *ſuch civility and reſpect as ſtill excites their aſtoniſhment and gratitude.*"

"The Regular Canoneſſes of the Holy Sepulchre of Liege turned their eyes towards England for refuge, with hope and confidence of finding, in their diſtreſs, a ſhare in *the unparalleled benevolence, charity, and generoſity*, which have been exhibited to ſo many of their fellow-ſufferers."

"The Benedictine Dames of Paris arrived at Dover in 1795, where they were kindly welcomed. It will be their pleasing duty to pray for the welfare of their native country with redoubled earnestness, *after having experienced its liberality, and enjoyed the blessings of its free constitution*, so widely different from the boasted liberty, but real tyranny, from which they have escaped, and in particular for *the best of Sovereigns*, that he may long reign over a happy and a united people, and may succeed in his gracious endeavours to bring about universal peace and philanthropy."

So much for the cry of *persecution*. But our sympathies, it may be alleged, were extended mainly to continental Roman Catholics, who happened at the time to be special objects of commiseration. Not a word is said about Ireland. While the yoke was being relaxed in other quarters, it was being tightened in that unhappy country. Let the *Laity's Directory* again be witness:—

"In 1796, the destruction of the greatest part of the Irish Colleges on the Continent, having alarmed the (Roman) Catholic Bishops in Ireland, they presented a memorial to Lord Westmoreland, then Lord-Lieutenant, praying to obtain permission to educate the Irish clergy at home. They at the same time requested a clergyman of their own communion, resident in London, to converse with the British Ministry on the subject, and after a few conversations Earl Fitz-William, who was shortly to assume the government of Ireland, was instructed to establish and endow a college for the education of the (Roman) Catholics of that country. The plan not being completed during the short Viceroyalty of the last-named nobleman, it was taken up by his successor, Earl Camden, who, not satisfied with obtaining from Parliament the necessary grants, both for the subsistence and necessary buildings of the college, *went in person, accompanied by the*

Lord Chancellor and the three chief Judges, beſides the uſual attendants of his high office, *to lay the firſt ſtone*; all the neighbouring noblemen and gentlemen, and an immenſe concourſe of people, with the Preſident and ſtudents, attending, *who teſtified the moſt unbounded joy and loyalty on the occaſion.* After the concluſion of the ceremony, his Excellency commiſſioned the Preſident of the College to conduct ſuch of the (Roman) Catholic Biſhops as attended, in his own carriages, to dinner at the caſtle, where a ſplendid entertainment was prepared, and, as a mark of further reſpect to the ceremony, he called upon the (Roman) Catholic Archbiſhop of Armagh to ſay grace. Theſe laſt circumſtances cannot appear too trivial for memory to record, when it is conſidered that *this was the firſt time ſince the Revolution that a (Roman) Catholic Biſhop was permitted to dine or to ſit in company with any Lord-Lieutenant of Ireland.* The whole meaſure was carried into effect *with ſo generous, ſo liberal, and ſo cordial a protection*, as to endear him perſonally to the Catholics of Ireland, and to impreſs them with ſo grateful and ſo affectionate a loyalty to His Majeſty's Government AS TIME CAN NEVER EFFACE."

Comment would be idle. If the Roman Catholics could expreſs themſelves in language of ſuch apparently heartfelt gratitude, and within a few years could raiſe a cry of oppreſſion and perſecution againſt their benefactors, it is only one more proof of the eſſentially aggreſſive ſpirit of their Church, and of the need there was to exact ſecurities for their peaceable behaviour.

And here it may not be amiſs to dwell for a moment upon the reſults of Roman Catholic agitation, as exhibited in the rapid ſtride made by that body in England during the laſt thirty years. Few people are aware of the extent of the Roman Catholic population in England and Scotland; and thoſe who are aware of it can

only think with sorrow and alarm of the concessions wrung from a pliant Parliament by political agitators, stimulated by priestly craft. Freed from all restrictions, and hampered by no unpalatable securities, the intrusive Roman Church raises her head so proudly as to make her a dangerous rival to the Established Church. Having gained so much, why may she not ask for more? Already she has in England 19 bishops, including one cardinal archbishop, 1196 priests, 824 churches, chapels, and stations, 50 communities of men, 153 convents, 10 colleges, and in Scotland 4 bishops, 169 priests, 195 churches, chapels, and stations, and 2 colleges. Such is the machinery which the Roman Church has at its command for winning back the population of this island to "the true faith." That such a result should ever arrive is probably more than even the most ardent of the "faithful" looks for; but with such an agency at work, with organization so perfect, with a network of religious houses spread across the land, and with a priesthood largely recruited from the ranks of our own clergy, it would be mere folly to close our eyes to the fatal legacy which our fathers bequeathed to us, when they yielded, in a hapless moment, to the cry of "persecution," and gave to the Roman Catholic all and more than he had dared to hope for.

After stating the necessity of defending the laws and Government from the reproaches so inconsiderately cast upon them by Mr. Canning, Dr. Phillpotts proceeds to cite the testimony of the very men who had been paraded as the miserable victims of oppression

and perſecution. He quotes a letter of Dr. Moylan, a Roman Catholic Biſhop, (16th of April, 1798,) in which he informs the faithful of his dioceſe that they "*poſſeſs the advantages of the Conſtitution*," that "the penal laws under which our fathers groaned have been almoſt all done away," and that "*theſe are favours that ſhould excite and call out all our gratitude.*" He then remarks upon theſe ſtatements:—

"You, Sir, will not be able to read language ſuch as this without deploring the lamentable degradation to which the exiſting penal code had thirty years ago reduced its victims; they were, it ſeems, ſo far debaſed by it that they could even hug their chains and fancy themſelves happy, till Mr. O'Connell, and Mr. Cobbett, and Mr. Canning, (have we lived to witneſs the aſſociation?) in the overflowing torrent of their benevolence, have kindly aſſured them that they are perfectly miſerable. To call on Ireland to value the Conſtitution in her preſent ſtate, is, according to you, 'to ſuppoſe her either utterly incapable of appreciating the benefits of *emancipation*' (ſhade of William Pitt! does he who calls himſelf your diſciple dare ſo to abuſe that word?) 'or altogether unworthy of it.' And yet, Sir, ſo late as the 16th of March, 1821, you were yourſelf ſo inſenſible to the wrongs of that injured country that you could thus ſpeak of the condition in which the laws have placed her. 'From that time (1774) the ſyſtem was progreſſively mitigated, until the year 1793, which *crowned and conſummated the gift of civil liberty, and left only political conceſſion imperfect.*'"

In what follows, Dr. Phillpotts expoſes a moſt fruitful ſource of miſchief in Ireland—the unwarrantable power claimed by the prieſthood; a power which, as he ſhows, their prelates refuſed to ſanction, however much they might find it convenient to wink at it. This

power diſplayed itſelf in denunciations from the altar; and, after making allowance for all explanations, it muſt be confeſſed that anathemas of this kind partook of the character of actual excommunication.

And here it muſt not be thought that Dr. Phillpotts was ſetting himſelf up as an antagoniſt of that Eccleſiaſtical diſcipline which from the earlieſt times has been held neceſſary for the well-governing of the Church, which derives its authority from Holy Scripture, which has been enforced by an unbroken line of writers, beginning with S. Clement, and which has received the ſanction of a long ſeries of Councils and Synods, including the famous one of Nice. No, he was too true a Churchman for that. With his Prayer-book in his hand, declaring (*Art. of Relig.* XXXIII.), "That perſon which by open denunciation of the Church is rightly cut off from the unity of the Church, and excommunicated, ought to be taken of the whole multitude of the faithful as an heathen and publican, until he be openly reconciled by penance, and received into the Church by a Judge that hath authority thereunto"—he was not likely to ſay anything to throw diſcredit upon this ſalutary ordinance. But he held it as a ſcandal upon Religion that the prieſthood ſhould be allowed, often for no higher motive than to inſure the return of a favourite candidate at an election, to ſow curſes broad-caſt over the land. The educated might think as lightly of them as they deſerved, but the unlettered would recognize the Voice of God. To chronicle the outrages and murders committed in Ireland under

the ſacred name of Religion would be to tranſcribe the darkeſt page in the hiſtory of that unhappy country.

Boldly does Dr. Phillpotts attack this abuſe of ſacerdotal power, and ſhow the expedients to which even prelates would condeſcend, in order to ſhift the reſponſibility from their own ſhoulders:—

"Sir, I muſt not wholly omit to notice the power of excommunication, as one of the moſt efficacious cauſes and inſtruments of the tyranny of the Iriſh Prieſthood. Excommunication, I need not ſay, is a ſentence of abſolute excluſion from all the rites and ſacraments of the Church—and that, in the eſtimation of every ſincere member of the Church of Rome, it is therefore an abſolute excluſion from the means of Grace, and from the hopes of Heaven.

"This ſentence cannot, according to the principles of that Church, be pronounced by any but the Biſhop, or delegate of the Biſhop. Yet in Ireland the Pariſh Prieſts are continually in the habit of exerciſing a power ſhort of formal excommunication, but which has almoſt equal effect on the terrified minds of the people; and what is not leſs worthy of remark, the Biſhops are in the habit of contemplating the exerciſe of this power in perfect ſilence. It is called 'The Prieſt's Curſe.'"

Dr. Phillpotts then cites inſtances of the exerciſe of this dreadful power, and continues:—

"Yet, notwithſtanding the notoriety of theſe and other ſimilar proceedings, we have not heard of a ſingle inſtance in which any one of theſe Clergy was called to account by his eccleſiaſtical ſuperiors, for what Dr. Doyle has deſignated as 'a thing ſo wrong in its own nature, that it muſt ſtrike every Chriſtian,' namely, 'that a Prieſt, appointed to miniſter between the people and God, ſhould convert his miniſtry into a curſe.' And while the Biſhops have thus

looked on in ſilence, the laity, even in England, have given their ſanction to this exerciſe of ſpiritual authority in temporal matters, by returning ſolemn thanks to them for their exemplary zeal and ſervices."

The next point in Dr. Phillpotts' letter relates to a Teſt which he propoſes in place of the denial of the doctrine of Tranſubſtantiation. Some ſuch a teſt as that ſuggeſted by him would at once have ſilenced thoſe noiſy agitators who were clamouring for "religious liberty," and who maintained that, in diſqualifying men for office on account of any particular creed, Parliament was arrogating to itſelf the power of the Almighty. But it ſhould be remembered that, with the Roman Catholics, the queſtion did not lie between the denial of Tranſubſtantiation and any other teſt, but between that and *none*. They were now ſuing for admiſſion into the legiſlature on equal terms with Proteſtants, and were not prepared to give ſecurities for their good behaviour. The day might come when theſe ſecurities would be inconvenient. It was wiſer then to be unfettered. The nation juſt now was in a pliant mood. It required but a little gentle preſſure to gain that which, a few years before, the wildeſt agitator had not dreamt of.

Speaking of the attitude of the Roman Catholics, and the difficulty of making any ſatisfactory arrangement with them, Lord Eldon ſays, in a letter to Dr. Phillpotts, September the 28th, 1828 :—

"I preſume that arrangement has not become more eaſy, when the Iriſh Roman Catholics ſay that they *muſt* be put

upon an *equality*, at leaſt, with the Proteſtants; that they *muſt* have a Reform in Parliament, and the right of ſuffrage continued to the freeholder under the influence of the Roman Catholic prieſthood, or ſtill more largely eſtabliſhed; and when they tell you that they not only will not be contented with this, if they receive it of your gift, but *that they will have it, and can have it, whether you chooſe to give it them or not.* I cannot imagine to myſelf what it is you can concede to them with ſafety to the Eſtabliſhed Church, if you are to negotiate about conceſſions to them, in poſſeſſion, *in fact*, of the Government of Ireland, and profeſſing to treat *with the Government of the United Kingdom*, on the part of 'the people of Ireland,' as a body, in fact, though not in law, no part of *the people of the United Kingdom*, ſeparated at leaſt from that kingdom *de facto*, as they allege. If their *power can wreſt from you now what they aſk*, will your granting what they now aſk diſable them, by the exerciſe of that ſame power, to wreſt from you whatever they may further pleaſe to demand?"

The new Teſt ſuggeſted by Dr. Phillpotts runs as follows:—

"I, A. B., do declare, in the preſence of Almighty God, that I do not hold, nor believe that it is neceſſary, in order to their eternal ſalvation, that his Majeſty King George, or any of his liege people being Proteſtants, be or ſhall become in any way ſubject to the Pope, or to any authority of the See of Rome; and I do declare, that I do not hold, nor believe, that the Proteſtant Church of England and Ireland, as by law eſtabliſhed, is in ſuch wiſe heretical, that any of the members thereof are, on that account, excluded from the promiſes of the Goſpel, or cut off from Chriſtian ſalvation; and I do faithfully promiſe and ſwear, that I will not uſe any power, right, or privilege, which does or ſhall to me belong, for the purpoſe of deſtroying, or in any way weakening, the Proteſtant Church and the eſtabliſhment thereof, as it is now by law maintained. So help me God."

He then goes on to ſay:—

"Sir, I bear no man's proxy, and am not ſure that ſuch a teſt would ſatisfy any other individual of any party.

"That it would not ſatisfy the Iriſh leaders I am well aware, and, in plain truth, I ſhould have no ſort of confidence in any that would. That it would be offenſive to the Church of Rome, and to all the bigoted members of that Church, I have as little doubt, and for that very reaſon I ſhould have more reliance on its efficacy. The great deſideratum has always been to ſeparate between the bigots and the moderate members of that Church; to bear with as light a hand as poſſible on the latter, and to control the hoſtility of the former with the moſt effectual reſtraints that the wiſdom of the Legiſlature can deviſe. I ſhould hope that, among the nobles and the educated laity of that communion, both in England and Ireland, many would be found who would ſpurn the mandates of their Church, if ſhe ſhould refuſe to let them give to their Proteſtant countrymen ſuch a ſecurity for the ſafe and honeſt exerciſe of their functions as legiſlators."

Speaking of this ſuggeſtion for a new Teſt, Dr. Phillpotts ſays, ſeveral years later:*—

"In looking back at this paſſage, I frankly own that I do not think it was marked by 'abſolute wiſdom,' though I do not the leſs claim it as a teſtimony of my ſincerity."

A little further on Dr. Phillpotts expreſſes his regret—and it is one in which every thoughtful man muſt join—that the experiment of changing the teſt from a *ſpeculative* to a *practical* one had never been tried.

* "Letter to Sir Robert Inglis."

"One great advantage would neceſſarily follow," he ſays; "there would be no longer occaſion left for declamatory harangues on the hardſhip of puniſhing men for ſpeculative errors; there would be no more prattle heard about nice diſtinctions between Tranſubſtantiation and Conſubſtantiation; and you, Sir, and men like you, would be ſpared the feeling of ſelf-reproach, which the conſciouſneſs of having recourſe to ſuch wilful ſophiſtry can hardy fail to inflict. In ſhort, thoſe who would be excluded by ſuch a teſt could not be held up as martyrs. It could not be any longer ſaid that they are ſtigmatized as idolaters,—that they are puniſhed for following the dictates of their conſcience. But the real truth would be made manifeſt, that they are the perſecutors in ſpirit—that if there be any ſtigma it is ſtamped by themſelves—that they are kept out of Parliament becauſe their conſcience itſelf would compel them to abuſe the power of legiſlation into an engine of ſpiritual tyranny, and of aggreſſion on the conſcience of others."

And here it will not be out of place to notice a more elaborate ſcheme of legiſlation on this ſubject ſuggeſted by Dr. Phillpotts in 1828. It occurs in a letter to Lord Eldon, and is worthy of all attention, as ſhowing the profound knowledge and ability which he brought to bear upon a ſubject that was diſtracting ſtateſmen, and cauſing the wildeſt apprehenſion throughout the country. In this ſcheme, it is to be obſerved, as elſewhere, he inſiſted that the time of *excluſion* was gone by, and that nothing remained but to grant a meaſure of *conceſſion*, accompanied, however, with ſecurities of the moſt ſtringent kind. What theſe ſecurities were to be he himſelf ſets forth; and if exception be taken to certain portions of his plan, it muſt be remembered that he has only failed where

the greateſt intellects had failed before him, and it muſt be allowed that upon the whole the ſcheme is juſt, reaſonable, and ſalutary.

The following obſervations give an admirable view of the poſition:—

"Permit me, in the outſet, to ſay, that the longer I have conſidered the ſubject, and the more cloſely I have been able to watch the progreſs of events, the more firmly am I convinced of two things, apparently at variance with each other;—firſt, that the true principles of the Britiſh Conſtitution require that conceſſions ſhould *not* be made; and, ſecondly, that the wretched degeneracy of our preſent race of Parliamentary orators, their ignorance of thoſe principles, and, ſtill more, their heedleſſneſs of them—the want of energy in moſt of our public men, the want of authority in Government on this queſtion (on which, ſixteen years ago, Government moſt—what ſhall I ſay? moſt unhappily—abdicated all authority)—above all, the lamentable abſence of almoſt everything that was wont to characterize an Engliſh Houſe of Commons, combine to make it certain that, ere it is very long, conceſſions *will* be made."

He then goes on to ſay that if this is a correct view of the ſtate of things, the preſent is the time when conceſſions may be made with the leaſt hazard.

As a preliminary, however, to any act of legiſlation, he holds that the honour of Government ſhould be vindicated by the immediate ſuppreſſion of the Iriſh Aſſociation. He then ſuggeſts that the queſtion of conceſſion, coupled with full and complete ſecurities, ſhould be brought before Parliament in a ſpeech from the Throne. What thoſe ſecurities ſhould be he next proceeds to conſider.

"And now for the plan of ſecurities to be propoſed.

"I will ſet out, with obſerving, that it would appear to me utterly intolerable, in framing theſe ſecurities, to have recourſe to any Roman Catholics, leaſt of all to the Pope. I ſhould hope that Parliament would adopt, in their fulleſt ſenſe, the words of the Duke of Wellington—'We muſt legiſlate for ourſelves, and we muſt legiſlate firmly and fearleſſly.' I will next ſay, that it would appear to me of main importance, in framing ſuch ſecurities to *avoid all mention of Roman Catholics*, and to make laws in general terms, which, while they operate on all, ſhall yet be ſo deviſed as to provide againſt the particular dangers to be apprehended from that ſect.

"I. Let there be an Act for limiting the right of voting for Members of Parliament for Counties in *Ireland*, to perſons having eſtates in fee or in tail, or on leaſe for lives renewable for ever, if the value of the land is 40*s.* per annum, and leſs than 20*l.* per annum, leaving the right as at preſent to all perſons having any freehold eſtate in land above that value, the value of the land to be in all caſes eſtimated according to the *rent* which it would obtain if let. The obvious benefit of this firſt ſecurity would be to reclaim the power of chooſing Members of Parliament for Iriſh counties from pauperiſm to property, and thereby to ſecure the elections, for a long time, almoſt entirely to Proteſtants. In the inſtances in which Roman Catholics would be choſen, they would at leaſt be men of property, and probably men of education; in either caſe not likely to be the ſlaves of the prieſthood.

"It is ſaid by all perſons acquainted with Ireland as it is now, and as it was thirty years ago, (before the eſtabliſhment of Maynooth College,) that there is *now* one marked change. The prieſts are of a lower grade in ſociety, they are not, as they formerly were, gueſts of the Popiſh gentry; on the contrary they are kept at a diſtance, and have little or no influence over them.

"A Proteſtant gentleman of large fortune reſident in the county of Clare, who has been with me lately, ſays that the Roman Catholic gentry are more annoyed, if poſſible, than the Proteſtants, at the preſent domination of the prieſthood and the demagogues.

"II. An Act, requiring all members of either Houſe of Parliament before they ſit or vote, to take an oath, or make a ſolemn declaration, founded either on the writ of ſummons to Parliament, or on the declaration recently ſubſtituted in lieu of the ſacramental teſt, *for the ſecurity of the Church of England and Ireland;* the preamble of this Act recognizing this Church as *a fundamental and eſſential part of the Conſtitution.*

"The benefit to be obtained from ſuch a ſtatute might be found greater than at firſt appears, for it would give to the Church the pledge, not only of Roman Catholics, but of *all other Members of Parliament*, none of whom are at preſent under any engagement to it. If individuals would diſregard, or explain away ſuch a pledge, it might be at leaſt hoped that the great body of either Houſe of Parliament would feel and reſpect its binding nature. At any rate it would ſtrengthen the claims of the Church, and could not fail to affect powerfully the opinion of the people againſt any open attempt to injure it.

"This meaſure would be ſtoutly oppoſed. Lord Holland proteſted againſt it by anticipation, during the debates on the repeal of the Teſt Act. So did ſome one in the Houſe of Commons. But if no meaſure is to be adopted which will be oppoſed, the Conſtitution may as well be given up at once. After all, ſince men of all parties are weary of the Popiſh queſtion, and eager to get rid of it, any meaſure, ſtrenuouſly inſiſted on as a neceſſary adjunct to the ſettlement, might be carried, perhaps with leſs of reſiſtance than under other circumſtances could be hoped. The propoſed *recognition of the Proteſtant Epiſcopal Church of England and Ireland as an eſſential part of the Conſtitution* was made *in the*

preamble of the bill of 1813, as amended in the Committees of the Houſe of Commons of that year; and it is enacted in the Act of Union that the preſervation of the ſaid United Church ſhall be deemed an eſſential and fundamental part of the ſaid Union.

"III. An Act *declaring* it to be unlawful and prohibiting all perſons from calling themſelves or others *in any printed book or paper*, under any qualification, Biſhops of any See, Deans of any Chapter, or Rectors of any Pariſh, of which there are according to law Biſhops, Deans, or Rectors of the Eſtabliſhed Church of England and Ireland. The penalty for the firſt offence, a fine of ; for the ſecond, the party to be required to withdraw himſelf from the realm, and if he return without licence under the Great Seal, tranſportation.

"The neceſſity of ſome ſuch ſtatute is becoming every day more imperative. The Popiſh Biſhops call themſelves, and are called Biſhops of the Iriſh Sees without ſcruple, and often without qualification. If it be urged (as it was urged by Mr. Pitt) that in an *Epiſcopal Church there muſt be Biſhops*, at leaſt let the Popiſh Biſhops be compelled to imitate the modeſty of the Proteſtant Biſhops of the Epiſcopal Church of Scotland, who abſtain not only from all titles of *Lordſhip*, but even from calling themſelves publicly Biſhops *of Sees*, though there are no other perſons entitled by law to thoſe Sees. Within the laſt two months this abuſe and uſurpation in Ireland has extended beyond Biſhops, and even beyond Deans. The Pariſh Prieſts are now called by the Aſſociation, *Catholic Rectors*, and ſometimes ſimply *Rectors* of ſuch and ſuch pariſhes. But for this invaſion of the rights of the Eſtabliſhed Church there is abſolutely no ſemblance of excuſe: it is ſheer, unmixed, unmitigated hoſtility; it is an avowal of a determination to uſurp the character of the National Church, in defiance and in derogation of the lawful rights of the Proteſtant Epiſcopal United Church of England and Ireland.

"IV. A Statute, prohibiting all perſons in Holy Orders, or pretended Holy Orders, or pretending to Holy Orders, and all Miniſters or Teachers of Diſſenting Congregations in Ireland, from in anywiſe interfering in any conteſted election of members of Parliament in Ireland, whether by aſking votes, or otherwiſe, making any candidate ineligible, and conſequently all votes given to him thrown away, who ſhall, by himſelf, or by his agents, uſe, or knowingly permit the aid or interference of ſuch perſons, ſaving, however, the right of ſuch perſons to vote themſelves, and to ſolicit the votes of perſons who are tenants under them of any land or tenement, and are qualified to vote.

"This, it will be ſeen, is here confined to *Ireland*, but if in order with the better grace to exclude the influence of the Popiſh Prieſt, it be thought fit to extend the operation of the propoſed meaſure to England alſo, it is a reſtraint which I think would not do us any harm; nor would it, I believe, excite any feelings of annoyance or diſſatisfaction in the minds of the Proteſtant Clergy of this country. Perhaps even our fair influence would not be leſſened by it.

"V. A general oath of allegiance and ſupremacy to be taken by all perſons in *Ireland* as a qualification for office, or on any other occaſion when either the common oaths of allegiance and ſupremacy are required at preſent, or the oaths preſcribed in the Acts of 21 and 22 Geo. III. and 33 Geo. III, to be taken by Roman Catholics (in lieu of the oaths now required by law):—

"I, A. B., do take Almighty God and His only Son, Jeſus Chriſt, my Redeemer, to witneſs, that I will be faithful and bear true allegiance to our moſt gracious Sovereign Lord King George the Fourth, and him will defend to the utmoſt of my power againſt all conſpiracies and attempts whatſoever that ſhall be made againſt his perſon, crown and dignity, and I will do my utmoſt endeavour to diſcloſe and make known to his Majeſty and his heirs, all treaſons and traitorous conſpiracies which may be formed againſt him or

them; and I do faithfully promiſe to maintain, ſupport and defend to the utmoſt of my power the ſucceſſion of the Crown in the heirs of the body of the Princeſs Sophia, Electreſs and Ducheſs Dowager of Hanover, being Proteſtants, againſt any perſon or perſons whatſoever; and I do declare that I do not believe that the Pope of Rome or any other foreign Prince, prelate, ſtate or potentate hath, or ought to have any temporal or civil juriſdiction, directly or indirectly, within this realm. (I do further declare that our Sovereign Lord King George is over all perſons and in all cauſes eccleſiaſtical and civil, to the laws of this kingdom in any wiſe appertaining, within his dominions ſupreme.) And I do ſwear that I will defend to the uttermoſt of my power the ſettlement and arrangement of property in this country as eſtabliſhed by the laws now in being. I do hereby diſclaim, diſavow, and ſolemnly abjure any intention to ſubvert the preſent Church Eſtabliſhment; and I do ſolemnly ſwear that I will not exerciſe any privilege to which I am, or may become, entitled to diſturb or weaken the Proteſtant *Church of England and Ireland, as by law eſtabliſhed, or the Proteſtant Government* in this kingdom.

"So help me God.

"The whole of this form of oath is taken from thoſe already preſcribed to be taken by the Iriſh Roman Catholics, by 21 and 22 Geo. III. c.—and 33 Geo. III. c. 21 (Iriſh), except the words deſcribing the ſucceſſion of the Crown and the ſhort clauſe within brackets, and except the alteration of the laſt clauſe into words more diſtinctly expreſſing the intention of the legiſlature, and leſs obnoxious to unfair interpretation than thoſe in the exiſting ſtatute. The clauſe ſo altered reſembles one *propoſed by Mr. Canning in* 1813, *and making part of the Bill as amended in the Committee of the Houſe of Commons of that year.*

"In *England* it would not ſeem neceſſary to make any change in the oath of allegiance, or oath of abjuration. The Oath of Supremacy (to be taken by all perſons when-

ever the preſent Oath of Supremacy is required), might be, as follows, taken from the 37th Article of the Church :—

"I, A. B., do declare that the King's Majeſty hath the chief power in this realm, unto whom the chief government of all eſtates of this realm, whether they be eccleſiaſtical or civil, in all cauſes, doth appertain, and is not, nor ought to be, ſubject to any foreign juriſdiction.

"So help me God.

"*Proviſo*—That the preſent oaths be continued to be taken by all perſons holding any office, benefice, place, or dignity in the united Church of England and Ireland and the Church of Scotland, by all Judges in every Eccleſiaſtical Court, by perſons holding office in all Univerſities, or taking degrees in Engliſh or Scotch Univerſities or Colleges, or ſchools of Royal or State foundation.

"*Proviſo*—That all Archbiſhops, Biſhops, Prieſts and Deacons of the united Church of England and Ireland, all Chancellors or Vicars-General of Dioceſes, all Judges in any Eccleſiaſtical Court or Court of Appeal, ſhall take the oaths now required by law.

"The ſtiffer Papiſts may object to the concluding words, becauſe they hold that all baptized perſons are ſubject, in ſpirituals at leaſt, to the juriſdiction of the Church and of the Pope. But let thoſe that will, object to ſuch a form, their objection would only prove more ſtrongly the neceſſity of requiring it.

"The reaſon for propoſing different forms of oaths for the two countries is the different ſtate of the law at preſent in the two. The oath now taken by the Iriſh Roman Catholics contains a clauſe ſo much more diſtinctly engaging them to abſtain from injuring the Proteſtant Church, than any in the oath of the Engliſh Roman Catholics, that it muſt not be ſurrendered. And it is not likely that it would be objected to by the Iriſh Proteſtants, if enjoined to be taken generally by all perſons in Ireland. But if propoſed as the oath to be taken by all perſons in England it would,

without doubt, be ſtrongly oppoſed, nor would it be deſirable to diſturb the adjuſtment made by the ſtatute which repealed the Teſt and Corporation Acts in the laſt ſeſſion.

"VI. An Act prohibiting any perſon from adviſing the King in the diſpoſal of eccleſiaſtical benefices who is not a member of the Church of England and Ireland; and enacting that if any eccleſiaſtical benefices be in the patronage of any office under his Majeſty, the perſon appointed to ſuch office ſhall at the time of taking the other oaths, required to be taken by him on entering thereupon, make and ſubſcribe the following declaration:—

"I, A. B., do ſolemnly declare that I am a member of the united Church of England and Ireland.

"So help me God.

"In default whereof the exerciſe and enjoyment of the ſaid patronage ſhall belong (during the continuance in office of ſuch perſon), to any Privy Councillor whom his Majeſty ſhall appoint, ſuch Privy Councillor firſt making and ſubſcribing the ſaid declaration.

"It may ſeem to be neceſſary, conſiſtently with this meaſure, to retain the exiſting reſtraints on Roman Catholics who are poſſeſſed of advowſons. And, in my opinion, there are obviouſly found reaſons of juſtice and policy againſt permitting any perſons who are not members of the Eſtabliſhed Church to preſent to any of the benefices of that Church. But as other diſſenters are permitted to enjoy this patronage it would perhaps be hardly neceſſary or expedient to retain this one badge of ſuſpicion againſt Papiſts *alone*. If retained there might be a permiſſion to the Catholics to ſell advowſons, if entailed, purchaſing lands with the money received for the ſame, and making the lands ſo purchaſed liable to the ſame limitations as the entailed advowſons.

"VII. An Act, charging all aſſeſſments for the repair of churches and other church-rates in *Ireland*, on the landlord, and not on the occupier of lands, and tenements,—requiring the occupier to pay them to the collectors, but authorizing

and empowering him to deduct the ſums ſo paid from the rent due to the landlord. Perhaps an appeal to the quarter ſeſſions might be given on the expediency or amount of any particular rate.

"I apprehend that, at preſent, in every caſe of fair letting of lands or houſes, the landlord does, in fact, pay the rates, inaſmuch as their amount is calculated as an outgoing, when the bargain is made; but in the exiſting ſtate of Ireland, where very little calculation often takes place, previouſly to the tenant taking his ſmall tenement, and exceſſive rents are blindly ſubmitted to, theſe rates do really fall upon the tenant, and from their very nature and object, being impoſed for the ſupport of a Church to which he is adverſe, they muſt be peculiarly galling. This is, perhaps, the moſt ſpecious of all the alleged grievances. But the neceſſity of requiring theſe rates to be paid by *all*, whether members of the Eſtabliſhed Church or not, reſts on a principle which muſt on no account be relinquiſhed, how vehemently ſoever it be aſſailed.

"VIII. A continuance at leaſt for ſome years of the prohibition againſt Roman Catholics in Ireland (not poſſeſſing certain qualifications in land or money) having arms in their poſſeſſion.

"It would be obviouſly prudent to effect this by ſilently retaining the preſent diſability. If it be oppoſed there is unanſwerable ground for inſiſting upon it, in the turbulent and perilous ſtate of that country.

"If this, or any other reſtraint, be retained (as ſome others muſt be—particularly in reſpect to advowſons, and alſo in reſpect to voting at pariſh veſtries, the founding of monaſtic eſtabliſhments, the prohibition of proceſſions, etc.) —it will be much better to follow the precedent of the Engliſh Act of 1791, which diſtinctly enumerates the laws to be repealed, than the Iriſh Act of 1793, which commences with a general repeal of all diſabilities, and then proceeds to ſpecial exceptions.

"IX. A proviſo ſimilar to that in 1813 for Act of Uniformity, etc.

"X. Proceſſions, etc.

"I have thus ventured to detail my opinions as to the meaſures which ought to accompany conceſſion, if conceſſion be made. For doing this at ſo great a length I offer no apologies, for your Lordſhip has been pleaſed to require it of me. It would be the higheſt reward I could receive, if your Lordſhip ſhould be hereby induced to give your own mind to a conſideration of this important ſubject. From you would proceed a ſcheme of real ſecurities if any are attainable."

It has been thought adviſable to inſert this ſcheme of ſecurities at full length, in conſequence of its important bearing on Dr. Phillpotts' alleged change of ſentiment on this ſubject, which will come under conſideration further on.

The ſuggeſtion for a new teſt brings us to the concluſion of Dr. Phillpotts' firſt Letter to Mr. Canning. And well may it be doubted whether his wit ever ſhowed a keener edge or brighter poliſh than when laying bare the ſophiſtry with which that great ſtateſman ſought to diſguiſe arguments which not even his matchleſs eloquence could reſcue from ſo mercileſs a diſſection. Writing to Sir John Copley, Mr. Canning ſpoke of this letter as "Dr. Phillpotts' *ſtinging pamphlet*." He might with equal truth have called it *withering*, for it penetrated to the very heart's core of the ſyſtem of expediency put forward in a ſpeech which was vaunted as a maſter-piece of ſtate-craft. That ſpeech was publicly characterized as "unanſwerable," and ſo perhaps it ſeemed, until a thinker as acute as Mr. Canning, and one whoſe wit was both more ſubtle

and piercing, ſtepped down into the arena to give him battle. Then it was that the vaunted armour of proof turned out to be no better than paſteboard.

The truth is, that, brilliant as were Mr. Canning's talents, he was overmatched by Dr. Phillpotts. It was one thing to encounter amateur theologians on the floor of the Houſe of Commons, it was another to meaſure ſwords with a man to whom theology was both a buſineſs and a paſtime, and who, in this ſenſe, had been a man of war from his youth. It is not, of courſe, to be expected that an eminent ſtateſman ſhould of neceſſity be an eminent divine; and therefore to ſee a man like Mr. Canning ſtepping out of the region of his own ſtudies and reſearch, and diſcourſing glibly of doctrines and creeds, reminds one of Achilles in petticoats playing the amiable to the daughters of Lycomedes. An occaſional awkwardneſs in gait is excuſable, but ſuch perpetual blundering and ſtumbling reveals the deception. That the merits of this letter were too great to be ſafely diſguiſed is confeſſed by Dr. Phillpotts' old enemy, the *Edinburgh Review*. In March 1827, an article appeared entitled, "Late Vote of the Houſe of Commons," in the courſe of which the writer admits that "*he* certainly has been *quite conſiſtent*;" and goes on to ſay that "he has always ſtoutly delivered his ſentiments on one ſide;" that "he has juſtly acquired the credit of being about the ableſt of thoſe who eſpouſe that ſide;" and that "he now perſeveres in the ſame courſe, at a time when the expediency of ſuch conduct, for the intereſts of him who holds it, becomes daily

more queſtionable." This is high praiſe, but it is no more than he deſerved.

But while Mr. Canning was ſmarting from his wounds, his friends were doing their beſt to cover his retreat. And this they thought would moſt effectually be ſecured by diſcharging a volley of mud at the head of his aſſailant. He was called "a foul-mouthed parſon," "a libeller," and ſo forth. But all this time he was quietly occupying the field of battle and collecting his energies for another attack.

CHAPTER XIV.

Rapid Sale of Firſt Letter to Mr. Canning. The ſudden Change in that Stateſman's Views. Dr. Phillpotts' Second Letter to him. An Unguarded Expreſſion. The Attitude of the King in reference to the Roman Catholic Queſtion. Mr. Canning's Accommodation of himſelf to the new Order of Things. Dr. Phillpotts' Remarks upon it. Reflections on the Rapidity of the Change. Mr. Canning's careleſs Treatment of the Coronation Oath. The Real Obligation of that Oath deſcribed. The Reaſon why Lord Kenyon gave Dr. Phillpotts the Letters of George III. Dr. Phillpotts not averſe to Conceſſion to the Roman Catholics with adequate Securities. The Idea of Securities ridiculed by Mr. Canning. Inconſiſtent with the Tone of his earlier Policy. A Compariſon. Effect of Dr. Phillpotts' Two Letters to Mr. Canning. Their Tone. The Author vilified by Anonymous Writers.

THE firſt Letter to Mr. Canning rapidly paſſed through ſeveral editions; and it is ſaid that Lord Lyndhurſt, while Maſter of the Rolls, made very liberal uſe of it in one of the moſt brilliant ſpeeches which he ever delivered in the Houſe of Commons. The ſecond and ſhorter Letter,* dated May 7, 1827, was called for by the neceſſity of examining ſome of the leading points in the ſpeeches delivered by Mr. Canning in Parliament ſince the publication of the former letter.

* "A Short Letter to the Right Hon. George Canning, on the Preſent Poſition of the Roman Catholic Queſtion. By Rev. Henry Phillpotts, D.D., Rector of Stanhope."

In the courſe of a very few weeks that diſtinguiſhed ſtateſman had learnt the advantage of diſcretion, and the danger there would be in forcing the conſciences of ſo many enlightened and religious Engliſhmen to accede to a meaſure from which they revolted. With theſe feelings in his mind, and with the deſire of poſtponing the Roman Catholic queſtion for the preſent, he ſomewhat incautiouſly ſpoke of a better day which would hereafter dawn, and expreſſed a hope that the preſent darkneſs would be ſucceeded by a light which would illuminate the proſpect.

The opportunity afforded by this unguarded ſtatement was not to be loſt, and Dr. Phillpotts avails himſelf of it thus:—

"Sir, I need not ſay that I am one of thoſe who are involved in this darkneſs which you venture to predict will be ſo ſpeedily diſpelled. Our number is at preſent very large, and it is our pride, our boaſt, the theme of our grateful, heartfelt acknowledgment, that our Sovereign himſelf has been pleaſed expreſsly and ſolemnly to place himſelf at our head. With a firmneſs and determination worthy of the illuſtrious ſtock from which he is deſcended, with the frankneſs and manly candour becoming the King of a free people, with due veneration for that pure faith of which he is the hereditary and ſworn defender, he has been pleaſed to allay every uncomfortable ſurmiſe, which the ſelection of you, as his chief miniſter, muſt otherwiſe have cauſed. He has voluntarily announced to the moſt exalted members of our hierarchy, for the information of their brethren, and through them of the people at large, that he is unalterably attached to the religion of his fathers—that he ſees and will repel the danger which muſt follow the removal of thoſe ſafeguards with which the wiſdom of our anceſtors (a phraſe of which

I am not yet aſhamed) has fenced and protected our Proteſtant Church—*and that the oath which he took at his coronation* has bound him for ever to reject every ſpecious pretence of political expediency which may be urged to divert him from his purpoſe. I repeat that this aſſurance, ſo ſolemnly given, far more than counterbalances any apprehenſion which the apparent triumph of the cauſe of liberaliſm in ſeveral recent appointments would otherwiſe excite."

The letter then goes on to congratulate Mr. Canning on the happy way in which he has been able to accommodate himſelf to the new order of things, and more particularly for his determination "not prematurely" to ſtir up the feelings of the people of England, ſince the object for which he had been ſo earneſtly ſtriving was, after all, merely "a *theoretic*, though eſſential good."

"That this deſcription contains ſome very ſound and important meaning," ſays Dr. Phillpotts, "I have not the ſmalleſt doubt; but it is probably a conſequence of that thick darkneſs in which I am involved that I am unable to perceive how a merely 'theoretic' good can, at the ſame time, be 'eſſential.' I am ſtill more unable to comprehend how that which we have often heard deſcribed by you as the greateſt *practical* evil which can afflict the land, that which was 'perſecution' two years ago, and 'oppreſſion' two months ago, is now only a *theoretic* evil, which may well wait on your convenience for its cure."

Then follows a brief review of Mr. Canning's language and conduct on this queſtion, for the purpoſe of ſhowing the importance he attached to its ſpeedy ſettlement. The retroſpect does not reflect much credit on that ſtateſman's conſiſtency.

Dr. Phillpotts next proceeds to comment on the abrupt and ſuſpicious change which had taken place in Mr. Canning's ſentiments relative to preſſing the Roman Catholic claims upon the feelings of Engliſhmen. It would be difficult to cite a paſſage more thoroughly characteriſtic of the writer's peculiar vein than the following:—

"Now all this, 'though I moſt powerfully and potently believe it,' and though I cannot but think it infinitely wiſer and more becoming an Engliſh ſtateſman, than the violent, and (pardon me when I ſay it), almoſt inflammatory language and ſentiment in which you indulged on the two immediately preceding diſcuſſions. Yet, I own, it excites my admiration. I admire, not that your uncommon vigour of intellect ſhould improve every paſſing event, and turn it to the beſt account—not that you ſhould grow wiſer, as you grow older; but that you ſhould grow ſo very much wiſer in ſo very ſhort a ſpace of time;—above all, that you ſhould, apparently without any effort, attain at once to that higheſt point of human wiſdom, the power of knowing and acknowledging that you have been in error; the capacity, in ſhort, of eating up, at a ſingle mouthful, every unwiſe or miſchievous ſentiment you may have expreſſed on a great queſtion of national policy during half of your political life, and, after the moſt grievous and the wildeſt aberrations, ſhould return to the very point of ſober diſcretion from which you ſtarted fifteen years ago. This it is which chiefly excites my admiration, and which, in my humble opinion, places you quite alone among ſtateſmen—far above all compariſon with any of the vulgar herd of politicians of whom I have ever read or heard.".

After ſome obſervations on the rejection by the Roman Catholic prelates of the ſecurities provided by

the Bill of 1813, which has already been referred to, Dr. Phillpotts takes Mr. Canning to taſk for the light and careleſs way in which he had ſpoken of the Coronation Oath, ſaying that its day was gone by, and taunting a member of the Houſe of Commons with feeling an old-faſhioned reverence for it. "I hope," he continued, "at leaſt one bugbear is diſpoſed of, and we ſhall hear no more of the Coronation Oath." Such language, proceeding from ſuch a quarter, is ſhocking, and, if unrebuked, would have been productive of moſt ſerious miſchief. The dignified reply of Dr. Phillpotts merits the gratitude of every religious mind. He ſhows wherein the obligatory nature of the Coronation Oath really conſiſts; and it is hard to ſay whether the vigour of his language, or its intrepid honeſty has the largeſt claim upon our admiration.

"*The Oath taken by the King is a purely perſonal act; it is an act between himſelf and God.* To apply to it our little, convenient, political, or legal fictions—to talk of 'the omnipotence of Parliament,' as enabling it to annul, or diſpenſe with, the oath of the Sovereign—to ſpeak gravely of 'a keeper of the King's conſcience'—to ſay that, as 'the King can do no wrong,' as all his queſtionable acts muſt be regarded as the acts of his Miniſters, therefore they muſt direct him in ſuch a caſe as this—would be more fooliſh even than it would be preſumptuous. He might, and probably he would, communicate with thoſe perſons—whether his political Miniſters, or *others*—on whoſe counſel he places moſt reliance, in an affair of ſo great ſpiritual and conſcientious moment to him; but it would be the groſſeſt inſult to the Monarch, it would be degrading him from the rank of a moral being, to ſuppoſe that he would regard the advice of

ſuch counſellors, be they who they may, as acquitting him of the awful reſponſibility of acting in ſuch a caſe on the deliberate determination of his own conſcience. Every Sovereign, duly impreſſed with the ſolemn nature of the obligation of his oath, (as, thank God, our own gracious Sovereign has eminently proved himſelf to be,) would feel that that oath bound him, as he values the favour of God, and the promiſe of that 'crown immortal,' before which his earthly diadem fades into a worthleſs toy, to decide for himſelf whether the bill offered to his acceptance do indeed contain proviſions at variance with one of the great and expreſſed objects of his oath, with 'the maintenance, *to the utmoſt of his power*, of the laws of God, the true profeſſion of the Goſpel, and the Proteſtant reformed religion eſtabliſhed by law.' The Miniſter who ſhould dare to tell his Sovereign that he is exempt from this duty, that he may act on the conſcience of his Parliament, or of his Privy Council, inſtead of his own, in ſuch a caſe—I will go no further, and will ſay, that the Miniſter who ſhould dare to treat the Coronation Oath, in the preſence of his Sovereign, with half the levity with which you have not thought it unbecoming to treat it in your place in Parliament, would bring on himſelf a reſponſibility which no honeſt man would incur for all that kings or parliament can give or take away."

It was in conſequence of reading this very ſtriking paſſage that Lord Kenyon confided to Dr. Phillpotts the letters of King George III, which will be referred to in their proper place. A little further on Dr. Phillpotts calls attention to the Treaty of Union with Scotland, which provides, that every King or Queen, at their coronation, ſhall take an oath to maintain and preſerve inviolably the ſettlement of the Church of England as by law eſtabliſhed, within the

kingdom of England and Ireland. He then continues:—

"Sir, when I read the terms in which this oath is conceived, it is to me a matter of high gratification, moſt certainly, but of no ſurpriſe, that a prince, alive to the moſt ſolemn of all obligations, ſhould reſolve, as our gracious Sovereign has reſolved, never to concur in granting to his Roman Catholic ſubjects ſuch conceſſions as they and their advocates in Parliament are accuſtomed to demand. If, indeed, ſuch meaſures were propoſed as the conſcience of the Sovereign could regard as a real, fair, ample ſecurity, of the great objects to the maintenance and preſervation of which he is bound by oath, the caſe would be different; and you would then have the aſſurance afforded by every act of his illuſtrious reign, that he would rejoice in extending an equal ſhare of civil and political rights to all his ſubjects. But who is prepared to offer ſuch ſecurities? You, Sir, have been pleaſed to proclaim yourſelf 'no ſecurity-grinder.' You have ſaid, in a tone of ſneer and banter, which few of your hearers, and ſtill fewer of your readers, have thought particularly appropriate to the occaſion, 'the taſk of finding ſecurities to ſatisfy theſe over-ſcrupulous gentlemen is ſomething *like the taſk impoſed on the prophet in the Bible, who was not only to find out the interpretation, but to gueſs at the dream.*' We all remember a perſon, ſome years ago, charged with intending to bring the Scriptures into contempt by his profane application of their language; and he procured an acquittal from the jury by adducing inſtances of ſimilar irreverence (among others) from ſome of your juvenile productions. Are you deſirous that a future Hone ſhall be able to cite in his defence the graver authority of your addreſſes to Parliament, at your preſent mature age, and in the character of Miniſter of the Crown?"

Dr. Phillpotts then ſhows how inconſiſtent was Mr. Canning's ſneer about ſecurities—that thoſe who felt

the danger ſhould find them—with the tone of his earlier and wiſer policy:—

"Sir, I need not tell you that this point was not mooted for the firſt time on the 7th of March laſt. Several years ago a ſpeaker in your own Houſe, of whom, in common with a large portion of my countrymen, I was then a warm admirer, made upon it the following very judicious remark:—'Is it not a little extraordinary that Proteſtants ſhould be expected to be of one mind as to granting everything to the (Roman) Catholics, when ſuch a diſcordance of opinion reigns among the (Roman) Catholics themſelves as to the terms on which ſuch grant would be acceptable to them? *It has been argued rather whimſically, that the granting party ſhould be prepared to offer terms to the petitioning party; but ſurely it is for thoſe who ſeek a conceſſion in their own favour to propoſe thoſe means of ſecurity, and thoſe terms of arrangement, without which, it is admitted on all hands, that conceſſion could not be rationally made.*' The ſpeaker, of whoſe words I have here availed myſelf, is one with whom, if I may venture to judge from your moſt recent effuſions, you are very far indeed from being on ſo good terms as your beſt friends could wiſh. It was the Right Hon. George Canning, of May 25, 1810, a gentleman from whoſe ſpeeches, about that period, it would be eaſy to adduce arguments in direct contradiction to almoſt everything you have ſaid on this ſubject during the laſt ten years, up to the epoch of your return to ſounder views on the night of Tueſday laſt."

That theſe letters ſhould have had the effect of creating a profound impreſſion throughout the country of the danger of further conceſſion to the Roman Catholics, without adequate ſecurities, there can be little marvel. They were eagerly bought and read; they were the theme of univerſal converſation, and they promiſed to beſtow on their author a more than

tranſient fame. The marvellous ability with which he had maſtered the intricacies of a meaſure that had exerciſed the moſt powerful intellects, and the concentration of analytical force which he was able to bring to bear upon the minuteſt queſtions that aroſe from it, ſurpriſed his friends and confounded his enemies. He was charged with having treated Mr. Canning with "ſcurrility;" but it may ſafely be affirmed that even in the moſt vehement paſſages of his letters he never held any language towards that lamented ſtateſman which might not ſafely be uſed towards a public man on public affairs. It was eaſy enough for anonymous writers to vilify him, but it was not ſo eaſy to anſwer him. Proudly conſcious, therefore, alike of the nobility of his cauſe, and the purity of his motives, he could feel that

> "we muſt not ſtint
> Our neceſſary actions, in the fear
> To cope malicious cenſurers; which ever,
> As ravenous fiſhes, do a veſſel follow,
> That is new trimm'd."

And plenty of this ſmall fry were in his wake from this day forward. Few men have been more expoſed to detraction than Dr. Phillpotts, and no part of his public career has been more relentleſsly aſſailed than his conduct on the queſtion of Roman Catholic relief. Whether he remained conſiſtent to his principles, or whether, like Mr. Canning, whoſe apoſtacy he denounced, he firſt wavered and then fell, will be ſeen in its proper place.

CHAPTER XV.

The Letters of George III. to Lord Kenyon. Motives for their Publication under the Editorſhip of Dr. Phillpotts. His Judgment in publiſhing them much queſtioned. The Neceſſity of ſome Explanation. Dr. Phillpotts' Letter to an Engliſh Layman on the Coronation Oath. The Reſult of a Compariſon of the various Forms of Coronation Oath. The Edinburgh Review *on the Letters of George III. Remarks on the Conduct of Mr. Jeffrey. The King a Legiſlator. As ſuch, he is bound by his Coronation Oath. Argument of Opponents, drawn from caſe of Charles I, refuted. The Oath not made to the People as repreſented by Parliament. The Commons excluded from the Coronation. The Clergy are Parties to this Oath. Uſe of this made by the Advocates of Roman Catholic Relief. Dr. Phillpotts the Panegyriſt of William III. Popular Opinion that Pledges of Conceſſion to the Roman Catholics were given at the Union. Its Falſity ſhown. Mr. Pitt's Conduct in reference to Roman Catholic Relief. Mr. Burke's Opinion on the ſame Subject. Dr. Phillpotts not averſe to* all *Conceſſion. The Neceſſity of adequate Securities. A Change of Sentiment charged upon him. Its Falſity. The far-ſighted Policy of the Roman Catholic Clergy. Eſtimate of Dr. Phillpotts' Letter. Its General Tone.*

THE ſecond Letter to Mr. Canning was followed almoſt immediately by another publication which bore the name of Dr. Phillpotts. This time, however, his labours were only editorial. Some important papers had paſſed between the late King, George III, and Lord Kenyon and Mr. Pitt, relative to the queſtion of Roman Catholic relief. Lord Kenyon, who had formed a very high opinion of Dr. Phillpotts' talents

as a controverſial writer, placed them in his hands, with authority to publiſh them in any way he thought proper. Conceiving that the peruſal of theſe remarkable documents could only have the effect of increaſing the veneration felt by the country for the ſingle-minded, uncompromiſing, and conſcientious regard of the obligation of his oath which the King had diſplayed, under circumſtances of no ordinary difficulty, they were given to the world. The opinion of the late King on the queſtion of Roman Catholic Emancipation was well known; but his ſubjects, as a general rule, were not aware of the pains which he had taken, and the conſcientious anxiety which he had felt, to come to a right concluſion. Whether he was ſucceſsful or not in the attainment of that object is not the queſtion; but one reſult of the publication of his letters is to prove, if ſuch proof were wanting, that the King was what has been juſtly called "the nobleſt work of God"—an honeſt man.

Another motive for the publication of theſe letters is to be found in the fact that they reflected the greateſt credit on the inflexible integrity of Mr. Pitt, who preferred to ſacrifice office, and peril the friendſhip of his Sovereign, rather than tarniſh his honour or deſert his principles.

Theſe letters appeared on the 25th of May, 1827.*

* "Letters from His late Majeſty to the late Lord Kenyon, on the Coronation Oath, with his Lordſhip's Anſwers; and Letters of the Right Hon. William Pitt to His late Majeſty, with His Majeſty's Anſwers, previous to the Diſſolution of the Miniſtry in 1801."

They are eleven in number, dating from March 7, 1795, to Feb. 13, 1801. It forms no part of the deſign of this work to enter into an examination of them, and they are only referred to on account of their having been put forth under the ſanction of Dr. Phillpotts' name.

Whether he had acted with his uſual ſagacity in publiſhing theſe letters was a matter which was warmly debated. The advocates of Roman Catholic relief hailed their appearance as a triumph, affecting to ſee in them a vindication of the principles for which they were ſtruggling, while even the adherents of Dr. Phillpotts were doubtful whether a grave error in judgment had not been committed. Many of his oldeſt friends began to regard him with disfavour, while ſome ſcrupled not to ſhow their reſentment by breaking off all intercourſe with him. It ſeemed neceſſary, therefore, that ſome explanation of the grounds of publication ſhould be offered. Dr. Phillpotts was not the man to refuſe the call, more particularly when he felt that his diſcretion was not at fault, and his explanation aſſumed the form of *A Letter to an Engliſh Layman*,* which was publiſhed early in the year 1828.

After a graceful tribute to the memory of Mr. Canning, he vindicates the poſition that the Church of

* "A Letter to an Engliſh Layman on the Coronation Oath, and His late Majeſty's Correſpondence with Lord Kenyon and Mr. Pitt, &c. By Rev. Henry Phillpotts, D.D., Rector of Stanhope."

England is an eſſential part of the Britiſh Conſtitution. This leads him to compare the various forms of Coronation Oaths which have been in uſe; and after ſhowing at conſiderable length that ſecurity againſt Popery and the perpetual maintenance of the Church of England was an eſpecial object of the alteration made in that Oath at the Revolution, he expreſſes himſelf as completely ſatisfied that no monarch, as ſenſible of the obligations of his oath as George III. was, could have done otherwiſe than reject every propoſition for repealing the Teſt Laws.

The *Edinburgh Review* (June, 1827) had affected great delight at the publication of the Letters of George III. by Dr. Phillpotts, and had taken the opportunity of indulging in a moſt cruel attack upon the underſtanding of the late King. As the inſtrument by which thoſe letters had been given to the world, Dr. Phillpotts naturally felt it to be his duty to vindicate the memory of one of the beſt of ſovereigns from the malignant aſperſions which had been caſt upon it. This brought him once more face to face with his old antagoniſt Mr. Jeffrey. After referring to the claim of that gentleman to be conſidered as verſed in the principles of the Britiſh Conſtitution, upon which he was ſo careful to impart inſtruction to his readers, he continues, in reference to his reſponſibility as editor of the Review,—

"He will preſent himſelf to his admiring hearers, as one, who, calling himſelf a Briton, could yet find a gratification in inſulting the memory of the Father of his people—as one,

who could lift the hoof of brutal inſolence againſt the dead lion of the Houſe of Brunſwick—as one, who could avail himſelf (as he hoped) of a miſerable diſguiſe to outrage the feelings of this whole nation towards a King, beloved, honoured, and lamented, like George the Third. This ſhall be his high diſtinction; and, if in the ſcorn of every truly Engliſh mind he can find nothing to abaſh or diſconcert him, his ſenſibilities ſhall yet be excited, for I will make him feel that the publication which he has dared to put forth, is as unfounded in principle, and as contemptible in argument, as it is loathſome and deteſtable in ſpirit."

Let any one read the next twenty pages of Dr. Phillpotts' Letter, and ſay whether he did not redeem his pledge. To give extracts would only ſpoil the harmony of the whole.

He next goes on to ſhow that the office of the King is not merely *executive*, as the advocates of Roman Catholic relief wiſhed to make out, but that he has real power as a *legiſlator*, and that, as ſuch, he has an independent right to pronounce upon the fitneſs of any meaſure ſubmitted for his acceptance by the Houſes of Parliament. This appears from the very form of making ſtatutes; every new law being *enacted by the King*, by and with the advice and conſent of his great council, the Parliament. "He enacts," ſays Dr. Phillpotts, "by *willing* that their advice take effect; he refuſes his conſent, by announcing his purpoſe of conſidering the matter with himſelf."

The next point is that the King, as legiſlator, is bound by his Coronation Oath. The courſe adopted to prove this, although it diſplays Dr. Phillpotts' great hiſtorical reſearch, can ſcarcely be made attractive to

the general reader. Suffice it to ſay that he ſhows, both by reaſon and by authority, the utter futility of the notion that "the Coronation Oath applies to the conduct of the King, in his *executive* capacity only, not as a branch of the legiſlature."

But it was alleged by the advocates of Roman Catholic relief that the Coronation Oath never prevented our princes from making ſuch alterations in the laws affecting the Church, as on the whole they thought fit, and the caſe of Charles I. was cited, who gave his conſent to a bill, which ſeriouſly curtailed the legitimate power of biſhops, for the purpoſe of preventing the Church from ſinking into abſolute Preſbyterianiſm. This was perfectly true. But it is equally true that nothing but the moſt extreme neceſſity could ever juſtify ſuch an act.

"Whenever ſuch a neceſſity ſhall again occur," ſays Dr. Phillpotts, "it will be for the King of England firſt to ſatisfy himſelf of its exiſtence, and, if he be convinced that it really exiſts, to follow the dictates of the higheſt ſpecies of prudence, that maſter virtue which balances conflicting duties, and decides which, in the colliſion, is to be preferred; decides, however, not according to the ſhifting appearance of temporal expediency, but according to the eternal rules of truth and juſtice."

But, in order ſtill further to evacuate the obligation of the Coronation Oath, a happy expedient was hit upon by Mr. Charles Butler, the old antagoniſt of Dr. Phillpotts, who maintained that it was "made *to the people*, as repreſented by Parliament." The fallacy of this is admirably ſhown by Dr. Phillpotts, who

points out that, in order to make Mr. Butler's argument worth anything, the Oath ſhould be made to the people *only*. The circumſtances, however, under which it is taken—before God's Altar, and under the ſanction of Chriſt's Body and Blood—proclaim ſuch an aſſumption to be wilful and criminal forgetfulneſs of Him by Whom Kings reign. "Where is the mortal legiſlature," indignantly demands Dr. Phillpotts, "that ſhall dare to abrogate this ſolemn vow?"

"But neither is this all," he proceeds—and this conſideration deſerves to be noted—"the Oath is, in part, taken not only in favour of, but alſo *to* another human party, beſides the people at large—the Biſhops and Clergy of the Church of England. Theſe have an intereſt in the laſt clauſe of the Oath, which, whatever be the *power* of Parliament, it is certainly not within its moral competence to ſurrender."

As to the notion of the Coronation Oath being made to the people, *as repreſented in Parliament*, Dr. Phillpotts ſhows its utter futility. Parliament, he truly enough ſays, has nothing to do with the King's coronation: neither is there any reaſon why that ceremony ſhould take place during the ſitting, or even the exiſtence, of Parliament. The peers aſſiſt at it, not as lords of Parliament, but as peers of the realm, while the Houſe of Commons does not bear part in it at all. This was notably the caſe at the coronation of William III, when, according to Ralph, "the Commons, who had given his Majeſty the crown, were not permitted to aſſiſt in putting it on." While the repreſentatives of the people, however, are excluded from

the ceremony, the biſhops have always borne a conſpicuous part in it, a portion of the oath being taken *to* them. "It appears, therefore," ſays Dr. Phillpotts, "not only that it is not to the people, *as repreſented by Parliament*, that the oath is taken, but that a part of it is not taken to the people at all."

The fact of the clergy being parties to this oath did not eſcape the notice of the advocates of Roman Catholic relief; but, while ſome found it convenient to diſſemble their knowledge of its exiſtence, others, with more of ingenuity than honeſty, tried to make it appear that the queſtion of further conceſſion depended mainly, if not entirely, on the conſent of the biſhops and clergy. It was a ſkilful change of tactics, and, under cover of this falſe attack, the Roman Catholics hoped to gain poſſeſſion of the citadel. That they *did* ultimately gain poſſeſſion of it was due in no ſmall degree to the odium which they had ſo ſucceſsfully ſtimulated againſt the clergy.

A little further on in the Letter, Dr. Phillpotts anticipates Lord Macaulay as the panegyriſt of William III. It is doubtful whether that diſtinguiſhed writer, in his zeal to re-animate the decaying corpſe of Whiggiſm, ever indulged in more fulſome adulation than Dr. Phillpotts himſelf, when he deſcribes William III. as "*one of the moſt conſcientious Sovereigns* that ever ſat on the Engliſh throne!" It is painful to find that, in his laudable vehemence againſt Papal aggreſſion, Dr. Phillpotts ſhould have allowed himſelf for a moment to forget incidents in the life of that monarch,

which may be palliated by a "liberal" hiſtorian, but which can ſcarcely be aſſociated, among upright men, with delicacy of conſcience, or refinement of moral ſenſe.

Reference has already been made, in an earlier part of this work, to a commonly-received belief that liberal conceſſions would be made to the Roman Catholics at the Union between Great Britain and Ireland. There were not wanting thoſe who ſcrupled not to affirm that pledges of conceſſion had been given. Mr. Butler, in particular, found it convenient to dilate in glowing terms upon the expectations which had thus been held out to his co-religioniſts. It may ſerve to ſhow the remarkable eaſe with which hopes are excited in ſome minds, when it is ſaid that not a ſingle line occurs in any of Mr. Pitt's ſpeeches which Roman ſophiſtry can avail itſelf of as containing even the germ of ſuch a pledge. That no conceſſions were promiſed is ſhown by Dr. Phillpotts, by a reference to the ſpeeches of Mr. Fox, Mr. Pitt, and Lord Caſtlereagh, as well as the declaration of George III.

He then paſſes on to conſider thoſe portions of Mr. Pitt's letter to the King, dated January the 31ſt, 1801, which were claimed by the Roman Catholics as being favourable to their pretenſions. It does not fall within the ſcope of this work to examine Mr. Pitt's conduct. If it did, it would be ſeen how little cauſe the Roman Catholics had to congratulate themſelves upon their champion. The ſumming-up of the matter by Dr. Phillpotts, deſcribing the vacillating policy purſued

towards Ireland, diſplays as much accuracy in thought as brilliance in compoſition :—

"Whether the practical difficulties attending the ſettlement of ſuch a point would have been found too great even for Mr. Pitt to overcome, is a queſtion into which it is not neceſſary now to enter. That theſe difficulties, great in themſelves, have ſince his time become incalculably greater, is unhappily too manifeſt; nor does there appear the ſmalleſt reaſon to believe, had he been ſpared to his country to the preſent day, that, according to the principles uniformly proclaimed by him, he would now be found among the advocates for conceſſion. It is true that he never would have endured that the miſchief ſhould have reached its preſent hideous magnitude without any attempt to keep it down; he never would have endured that the known laws of the land ſhould be outraged with impunity—that they whoſe duty it was to execute and enforce thoſe laws, ſhould not only witneſs their violation with calm complacency, but ſhould, even in their place in Parliament, themſelves pronounce the moſt plauſible excuſe for paſt delinquency, and adminiſter the ſtrongeſt provocative to future exceſſes. Above all, he never would have endured that the majeſty of Britiſh legiſlation ſhould be made the ſcorn and laughing-ſtock of Iriſh demagogues —that an illegal aſſociation,* put down by an expreſs ſtatute in one month, ſhould, in the next, rear its brazen front without even the decent hypocriſy of a change of name—ſhould beard Parliament with its inſolent defiance, ſhould raiſe a revenue for the purpoſes of ſeditious faction, ſhould even make the ſhameleſs, but not the imprudent avowal (for confidence in ſuch a caſe is ſtrength), that the collection of this revenue is not merely a contribution for paſt or preſent charges, but a bond of union, and a pledge of future co-

* "The Iriſh Aſſociation," often referred to in the courſe of this work.

operation—in the revolutionary jargon of the day, it is a means of organizing and affiliating the people. All this, I repeat, would not have been endured had Mr. Pitt ſtill guided the helm of government—aye, or any one truly Britiſh ſtateſman, who felt himſelf reſponſible in his own individual fame for the reſults of the policy which has been purſued. It was only when we were given over to divided councils and conflicting principles—worſt of all, when the wretched ſyſtem was adopted of compromiſing all difference of opinions by acting upon none—of baniſhing even the name of Ireland from the deliberations of our rulers—of putting off to 'a convenient ſeaſon' the moſt perilous and urgent concerns of that diſtracted country—*ſtultâ diſſimulatione, remedia potius malorum, quam mala, differentes*—it was only then that we reached the full maturity of our preſent evils—evils ſo great, that we can neither bear their preſſure, nor endure their cure; but we go on from day to day, from year to year, ſeeking, by any wretched noſtrum the quackery of the age can furniſh, to palliate a corroding plague, which is faſt eating to our very vitals."

The conduct of Mr. Burke in reference to the queſtion of Roman Catholic relief next paſſes in review, and Dr. Phillpotts maintains that, if that eminent ſtateſman were then alive, he would be adverſe to the Roman Catholic claims. The evidence which he adduces is moſt concluſive, and a debt of gratitude is due to him for reſcuing this honoured name from an aſſociation which he would have been the firſt to diſown.

The portion of the letter in which Dr. Phillpotts applies his preceding argument to the queſtion of further conceſſions to the Roman Catholics is mainly valuable as ſhowing that he was not averſe to granting

all conceſſions, but that he thought that conceſſions, if granted, ſhould be accompanied with the *moſt ample ſecurities.* His language is clear and explicit, and ſhows that he was as thoroughly alive to the aggreſſive ſpirit of the Roman Church as he ever had been. It was afterwards ſaid that the germs of his ſubſequent alleged change of opinion were to be diſcovered in this letter. But no aſſertion could be more groundleſs. It is true enough that, in common with moſt other thoughtful men, Dr. Phillpotts ſaw that the temporiſing policy of Parliament had made further conceſſions inevitable; but this was a very different thing from deſiring that thoſe conceſſions ſhould be made without ſecurity or reſtriction. This was what the Roman Catholics had been aiming at throughout, and no one was more zealous in denouncing their machinations, and expoſing the inſolence of their pretenſions than Dr. Phillpotts. This preſent letter, if more tedious than his earlier writings, is a proof of the ſtedfaſtneſs of his principles, and of the clearneſs with which he foreſaw the impending danger.

The language of the Iriſh Roman Catholic clergy draws from Dr. Phillpotts a ſtatement of their ſentiments towards the Eſtabliſhed Church, which entitles him to the thanks of every one who would ſhrink from ſeeing his country fall a victim to a tyranny too fearful to contemplate. Rightly enough does he deſcribe their far-ſighted policy, when he ſays,—

"With a vigilance that never ſleeps, with an elaſticity of hope, which no degree of preſſure can ever wholly keep

down, with a paſſionate and anxious longing for the reſtoration of the power of their Church and of their order—they never omit a ſingle occaſion of ſerving that holy cauſe, and of preparing for what they confidently expect muſt one day happen, its ſignal and enduring triumph."

Other topics are handled in this letter; but while they are always treated with ability, it muſt be confeſſed that they are ſomewhat foreign to the purpoſe. The letter is too diffuſe. Written, however, as it was, one year before the fatal meaſure which gave to Roman Catholics the unreſtricted enjoyment of civil privileges, it was natural enough that reference ſhould be made to topics which might help to awaken the nation to the greatneſs of the peril. It would have been wiſe, however, if the dimenſions of the letter had been curtailed. A volume of 100 pages would have anſwered all the purpoſes of one of 330. But if the letter is ſometimes tedious, it is always candid and temperate. Facts are never perverted or overſtated. The writing is clear, forcible, and manly, and every one muſt riſe from the peruſal of this volume with the conviction that the Author is as deeply verſed in the conſtitutional law of the country as his other pamphlets have ſhown him to be in controverſial theology.

CHAPTER XVI.

The Death of Lord Liverpool, and its Effect upon the Roman Catholic Queſtion. Miniſterial Difficulties. Mr. Canning appointed Premier. His Death. Lord Goderich's Adminiſtration. The Duke of Wellington forms a Cabinet. Repeal of the Teſt and Corporation Acts. Immediately followed by a Motion to remove Roman Catholic Diſabilities. Alarming State of Ireland. Hoſtility of the Roman Catholics to the Adminiſtration of the Duke of Wellington. The Iriſh Aſſociation. Rumours of intended Conceſſion to the Roman Catholics. Subject referred to in the King's Speech. Alarm and Indignation of the Country. Miniſters denounced. The Plans of the Duke of Wellington too well laid to be ſucceſſfully oppoſed. Conduct of the King. Effect of the Meaſure on his Title to the Throne. Views of the Supporters of it. Remarks of Mr. Brougham. Difficulty of the Poſition acknowledged by the Duke of Wellington. Mr. Peel's Motion for removing Roman Catholic Diſabilities. Anxiety of the Public to hear the Debate. Paſſing of the Bill. Symptoms of Diſaffection in the Cabinet. Diſmiſſal of Sir Charles Wetherall. The Bill carried up to the Lords and paſſed. Scene in the Houſe. The Royal Aſſent given. Conduct of the King. Termination of this Memorable Conteſt. Lord Eldon's Prophetic Words. Remarks upon the Paſſing of the Bill.

BUT while the Letters of Dr. Phillpotts were penetrating to the moſt diſtant parts of England, the hopes of the Roman Catholic party were ſtimulated by the illneſs and death of Lord Liverpool,* who for nearly

* He moved an addreſs to the King on the death of the

fifteen years had been prime miniſter, and had ever ſhown the moſt uncompromiſing oppoſition to their claims. A ſerious difficulty immediately aroſe. The Anti-Catholic part of the miniſtry would ſerve under no head who would not pledge himſelf to reſiſt further conceſſion, while the more "liberal" portion of the Cabinet, repreſented by Mr. Canning, inſiſted upon the nomination of a premier who was known to be favourable to the Roman Catholic claims. After much negotiation and delay, Mr. Canning was appointed prime miniſter, and the Duke of Wellington, Lord Eldon, Mr. Peel, and Lords Bathurſt, Melville, and Weſtmoreland retired from the Cabinet. Others were introduced into their places who were moſtly known to be favourable to Roman Catholic relief; and although they were not formally pledged to ſupport any meaſure of conceſſion, yet it was commonly felt that the Roman Catholic aſpirations were never ſo likely to be gratified as now. It is probable enough that Mr. Canning would have deviſed ſome ſcheme of conceſſion—although it may well be doubted whether he would have ventured to reproduce that bill which brought down upon it ſuch withering ſarcaſm from Dr. Phillpotts—but his earthly labours were ſoon to ceaſe. He was already ſtricken with the hand of death, and four months after his acceſſion to office he expired at Chiſ-

Duke of York, February 12, 1827, and a few days afterwards was ſeized with paralyſis, which, although not fatal at the time, entirely prevented him from again attending to public buſineſs.

wick. Thus the "liberal party" was deprived of its leader, and the Roman Catholic cauſe of its champion. During the ſhort tenure of office by Lord Goderich, who ſucceeded Mr. Canning, nothing was done. The changes were too rapid to admit of thought being given to any meaſure of importance, much leſs to one of ſuch gigantic proportions as the Roman Catholic queſtion had now become.

At the commencement of the year 1828 it became evident that Lord Goderich's miniſtry was expiring, and that it could not be galvanised into vitality enough even for it to meet Parliament, which was appointed to aſſemble on the 29th of January. The conſtruction of a new miniſtry was therefore entruſted to the Duke of Wellington, and it was felt that the hopes of the Roman Catholic party were extinguiſhed.

One of the earlieſt Acts of this ſeſſion was the repeal of the Teſt and Corporation Acts which excluded Diſſenters from offices of truſt and power, and rendered them incapable of becoming members of any corporation, unleſs they conſented to receive Holy Communion according to the ritual of the Church of England. The meaſure was introduced by Lord John Ruſſell on the 26th of February, and became of great importance, as paving the way for the demand of further conceſſions by the Roman Catholics. This meaſure had ever been oppoſed by the greateſt ſtateſmen as revolutionary and deſtructive of the Engliſh Church eſtabliſhed by law, nor will it be thought that

the danger was over-rated when a Diſſenting miniſter of eminence had not ſcrupled to declare, in reference to the projected conceſſion, that he had laid a train of gunpowder under the Church which would blow it up; and another Diſſenting miniſter had bleſſed God that he could depart in peace, as the revolution in France would lead to the deſtruction of all union between Church and State in England.

It was conſidered an ominous ſign that the archbiſhops and moſt of the biſhops declared themſelves in favour of the bill, and the Roman Catholics took courage. Accordingly, the repeal of the Teſt and Corporation Acts was immediately followed by a motion to remove the remaining Roman Catholic Diſabilities, and after a debate it was agreed, on the 16th of May, that a conference ſhould be held with the Houſe of Lords on the ſubject. This was held on the 19th; and on the 9th of June the queſtion was taken into conſideration by the Houſe of Peers. The debate laſted two days, and the motion was loſt by a majority of forty-four.

Meanwhile the ſtate of Ireland was ſuch as to threaten the utter diſruption of ſociety in that country. In defiance of all law, Mr. O'Connell was returned as member for the county of Clare, and the Iriſh Aſſociation declared openly that it would do everything in its power to prevent the election of every candidate who would not oppoſe the adminiſtration of the Duke of Wellington. Nor were the operations of the Aſſociation confined to any particular locality. Monſter

meetings were held in the provinces, and county and parochial clubs were organized.

Nor was this all. Arms were provided, and the rabble were drilled to military duties. Riots quickly enſued, and it was hard to ſay what would now ſatisfy Roman Catholic rapacity, or where the miſchief would end.

It was under ſuch circumſtances as theſe that it began to be whiſpered at the clubs that the Cabinet had determined on conceſſion; and on the 5th of February, 1829, when Parliament was opened, the Royal ſpeech contained a paragraph recommending it "to review the laws which impoſe civil diſabilities on His Majeſty's Roman Catholic ſubjects." This was, indeed, preceded by a paragraph which directed attention to the miſdeeds of the Iriſh Aſſociation, and called upon Parliament to aſſiſt his Majeſty in enforcing the laws; but the Roman Catholics could well afford to put up with this affront upon their favourite inſtitution, when, as Sir Joſeph Yorke truly enough remarked, "the aſſociation had now nothing to do but to ſhut up its door; to put one of Bramah's beſt patent locks upon it, and to put the key ſomewhere where it would never be heard of again." This humorous ſuggeſtion was acceded to, and the Iriſh Aſſociation, after nine-and-twenty years of ſeditious agitation, cloſed its meetings not many days afterwards, with an harangue from O'Connell.

The King's ſpeech fell on the country like a thunderbolt, for there had hitherto been nothing either

in the ſtate of the queſtion itſelf or the attitude of the miniſters to juſtify ſuch a ſudden change of policy. People began to believe that there was ſome truth in the French ſaying, "*le vrai n'eſt pas toujours le vraiſemblable.*" Thus, then, while the country was bracing its energies to offer a more reſolute reſiſtance to Roman Catholic aggreſſion, than any which had yet been ſeen, the miniſters were ſecretly betraying the cauſe which they had ſo long eſpouſed, and to which they were ſo deeply pledged. No whiſper of their treachery, however, was permitted to reach the public ear until the very eve of the aſſembling of Parliament, and their plans were by this time ſo ſkilfully arranged that ſucceſs could not for a moment be doubtful. The Duke of Wellington was not the man to do a thing by halves.

The indignation of the country was extreme. It felt that it was betrayed by the very perſons who had hitherto been the ſtouteſt opponents of any change. The victory was ſecure before the battle had begun, and although meetings were held in all parts of the country, and the Houſes of Parliament were deluged with petitions againſt further conceſſion, it was felt that no amount of energy could counteract the miſchief which was already done. The condition of the Anti-Catholic party at this time is well deſcribed by Lord Sidmouth.* "For the firſt time in my life I am diſheartened. We ſeem to be in a ſhattered boat,

* Pellew's "Life of Lord Sidmouth," vol. iii. p. 427.

and in a ſtrange and agitated ſea, without pilot, chart, or compaſs." The King too—although, to do him juſtice, he exhibited marked repugnance to the meaſure—was placed in a moſt painful and anomalous poſition, ſince the project of Emancipation was founded on aſſumptions which, if juſt, would have the effect of rendering much which was done in 1688, and the Act of Settlement on the Princeſs Sophia, and the heirs of her body *being Proteſtants*—the forfeiture of the Crown by converſion or marriage—altogether unjuſt; and, as Lord Eldon truly ſaid, the miniſters of the Crown, in adviſing him to conſent to Emancipation, as it was aſked, were in reality adviſing him to give his aſſent to a libel on his title to the throne.

It is only fair, however, to the promoters of the meaſure to ſay that they looked upon it as a political neceſſity. The maintenance of a Cabinet on the principle of continued reſiſtance to Roman Catholic claims was, in their eſtimation, impoſſible. And nowhere was this better underſtood than on the oppoſition benches.

"I contend," ſaid Mr. Brougham, "that there are no materials in exiſtence for ſuch a Cabinet. Suppoſing the right hon. gentleman oppoſite (Mr. Peel), unfortunately for his country, unfortunately for his own reputation, had continued to adhere to his opinion that the claims of the Catholics ought never to be liſtened to, he alone muſt have formed, of all the perſons here—he alone, with the exception of one or two other individuals on the bench above him, and with the exception of one or two noble perſons, members of a Houſe to which it would be diſorderly further to allude—he alone muſt have formed the Cabinet by which continual reſiſtance could have been made to the ſettlement of the Catholic queſtion."

To ſhow the feelings of the Cabinet on this momentous meaſure, it will be ſufficient to quote the words of the Duke of Wellington. "This is a bad buſineſs," he ſaid to Lord Sidmouth, the day before Parliament met, "*but we are aground.*" It is true enough that the Duke ſhortly afterwards diſcovered and admitted that he had been miſtaken; but ſtill, for the moment, there appeared to him to be no door of eſcape.

And now the queſtion of Roman Catholic relief was once more to be debated within the walls of Parliament, and this time with ſuch ſucceſs as its earlieſt advocates could never have dared to predict. On the 5th of March, Mr. Peel, who had been rejected at Oxford, but returned for Weſtbury, moved "that the Houſe reſolve itſelf into a Committee of the whole Houſe, to conſider the laws impoſing civil diſabilities on His Majeſty's Roman Catholic ſubjects."

So great was the anxiety of the public to hear the debate on this all-abſorbing meaſure that every avenue leading to the Houſe of Commons was crowded before noon; and, although the call of the Houſe, moved for by Lord Chandos, prevented ſtrangers being admitted into the gallery before ſix o'clock, yet, ſo far from the excitement having diminiſhed, the number in attendance had gone on ſteadily increaſing with every hour. Some ladies of high rank were among the firſt to ruſh in as ſoon as the doors were opened, and there they patiently remained all the night, although ſeated immediately over the principal chandelier, and condemned, by their own ſelf-devotion, to ſwallow all the poiſonous

vapour which aroſe from the body of the houſe. Much time was occupied in the preſentation of petitions; but the anxiety which filled every breaſt to learn "the grand ſecret" could be endured no longer, and the call for Mr. Peel became loud and general. On his riſing the deepeſt ſilence prevailed, and, during the four hours and a quarter for which he ſpoke, the attention of his hearers never ſeemed to flag. In an eloquent and elaborate ſpeech he reviewed the whole queſtion, and taxed his ingenuity to the utmoſt to ſhow that the meaſure, which he had been ſteadily oppoſing for twenty years, was in reality for the benefit of the nation. On a diviſion the motion was carried by a deciſive majority of 188. And here it will be inſtructive to notice that this bill required *no ſecurities;* but Roman Catholics might henceforward be admitted to the higheſt offices in the State, with the exception of the Lord-Lieutenancy of Ireland, and the Chancellorſhip of England, and might hereafter become the King's adviſers.

After paſſing through its various ſtages, each of which was ſucceſſively marked by long and ſtormy debates, the bill was read a third time on the 30th of March, and carried by a majority of 178. The ſcene in the Houſe towards the cloſe of the debate was exciting in the extreme. The cheering of the ſupporters of the bill was deafening, while upwards of fifty members from different ſides of the Houſe thronged round Mr. Peel, and ſhook hands with him in a cordial and enthuſiaſtic manner.

The rapidity with which this meaſure was hurried through the Houſe of Commons may well excite aſtoniſhment, eſpecially when it is remembered that it effected a greater change in the Conſtitution than anything which had taken place ſince the Revolution; but the Duke of Wellington, having once decided on conceſſion, was too ſkilful a tactician to allow the country needleſs time for reflection. This was the more neceſſary from ſymptoms of lukewarmneſs, if not of actual diſaffection, which had appeared in his own Cabinet; and it is not unworthy of remark that the paſſing of the bill was ſignaliſed by the diſmiſſal of the Attorney-general (Sir Charles Wetherall) for having, in no meaſured terms of indignation, expoſed the fatal policy of the Miniſters, and denounced their apoſtacy.

On the 31ſt of March the bill was read a firſt time in the Houſe of Lords. The debate on the ſecond reading commenced on the 2nd of April, and, having laſted during that and the two following nights, was carried by a majority of 105. When the importance of the ſubject is remembered—being nothing leſs than a change in the Conſtitution of the country—the ability with which the arguments on either ſide were enforced, and the eſtimation in which the ſpeakers were held by their reſpective parties, this debate may fairly be conſidered one of the moſt memorable in the annals of the nation. The third reading of the bill was moved by the Duke of Wellington on the 10th of April, when it was carried by a majority of ninety-

four, *in the ſame Houſe which, in the preceding year, had rejected a ſimilar bill by a majority of forty-five.* The Houſe of Lords had never been ſo full ſince the Queen's trial. The ſpace about the throne and below the bar was completely crowded, and the body of the Houſe was filled with peers. All the Royal dukes were preſent, as was alſo Dr. Doyle, the Roman Catholic biſhop, who had played ſo conſpicuous a part in the agitation, and whoſe unſcrupulous tactics had been ſo well expoſed by Dr. Phillpotts in his Letters to Mr. Butler and Mr. Canning. Mr. Peel, alſo, was preſent, and remained in the Houſe during the greater part of the debate. The Duke of Wellington, who was the idol of the hour, Lord Grey, and ſeveral other peers, were loudly cheered by the populace in Palace Yard.

The bill received the Royal aſſent on April the 13th. But this was given with no good grace. Oppoſition to ſuch a meaſure had now become the traditionary policy of the Houſe of Brunſwick, founded, no doubt, quite as much on political as religious conſiderations. If the proteſtations of George IV. are to be believed, he felt all the repugnance to conceſſion which his father and his brother (the late Duke of York) had ſhown, and, in a converſation with Lord Eldon, after the paſſing of the meaſure,* "he declared that he had been moſt harſhly and cruelly treated—that he had been treated as a man whoſe conſent had been aſked

* Twiſs's "Life of Lord Eldon," vol. iii. p. 84.

with a piſtol pointed to his breaſt, or as obliged, if he did not give it, to leap down a five-pair-of-ſtairs window—what could he do? What had he to fall back upon?" He then went on to ſay,*—"I am miſerable, wretched; my ſituation is dreadful—nobody about me to adviſe with. If I do give my aſſent, I'll go to the baths abroad, and from thence to Hanover. I'll return no more to England—I'll make no Roman Catholic peers—I will not do what this bill will enable me to do—I'll return no more—let them get a Catholic king in Clarence. The people will ſee that I did not wiſh this." But, in ſpite of all this, and more, the aſſent was given; not, indeed, by the King in perſon, but by a Commiſſion, compoſed of Lords Lyndhurſt, Bathurſt, and Ellenborough. Very little intereſt was felt in the ceremony. There were ſcarcely enough members of the Houſe of Commons preſent to attend the Speaker to the Upper Houſe, and amongſt them were no perſons of diſtinction or conſequence, except Sir G. Murray. On the Speaker's return there were about twenty members on each ſide of the Houſe; and, when he announced that the members had been in the Houſe of Peers to hear the Royal aſſent given to the Roman Catholic Relief Bill, there was ſome cheering, in the midſt of which a perſon in the ſide-gallery exclaimed, in an audible voice, "Alas! they know not what they do." The meaſure, therefore, had now paſſed into law, and the only way in which

* Page 86.

the King could ſoothe his wounded feelings was by ſhowing marked incivility at the following *levée* to all who had voted for it.

Thus ended the memorable conteſt which had ſo long agitated the country from one end to the other, and the magnitude of which it would be difficult to exaggerate. It was the conſciouſneſs of the fatal conceſſion which was being made that wrung from Lord Eldon the indignant declaration, that if he had a voice that would ſound to the remoteſt corner of the Empire, he would re-echo the principle which he moſt firmly believed—that if ever a Roman Catholic was permitted to form part of the legiſlature of this country, or to hold any of the great executive offices of the Government, from that moment the ſun of Great Britain would be ſet. In defiance of all remonſtrance, however, and as if in deriſion of all prophetic forebodings, the meaſure was carried with a high hand; not, indeed, by its original promoters, but by thoſe who had hitherto ſhown it the moſt uncompromiſing oppoſition. Thus, then, the Roman Catholic hopes were crowned with ſucceſs. The greatneſs of their victory was the preſage of ſtill more unbounded triumphs. Time was when after the firſt conceſſions they were called ungrateful, becauſe they aſked for freſh ones. Scarcely a voice was then raiſed in their favour, and they themſelves had hardly learnt to feel any confidence in their ſtrength. By degrees, however, they became conſcious of latent power; that power was foſtered and matured by external ſympathy; firſt of all they were pitied, then they

were liſtened to; they quickly ſhowed themſelves no contemptible opponents; they made themſelves feared, and now behold them in their hour of victory! Thus it was, then, that—"Roman Catholics were made members of that legiſlature, which, by their religious tenets, they pronounce to be impious and heretical; governors of that people which they pronounce to be incapable of ſalvation; arbiters of that civil and religious freedom which it is the firſt principle of Popery to extinguiſh in all kingdoms, and counſellors of that King whom Rome denounces as a revolter from its fealty and religion."*

The courſe of events has been ſomewhat anticipated, in order to bring the Roman Catholic queſtion to a concluſion; and now it will be neceſſary to return to Dr. Phillpotts.

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* Croly's "Life of George IV," p. 492.

CHAPTER XVII.

Dr. Phillpotts appointed Dean of Cheſter. Suit in the Eccleſiaſtical Court againſt one of the Prebendaries. Ability diſplayed by Dr. Phillpotts. Accuſed of having changed his Opinion on the Roman Catholic Queſtion. Odium excited by the Charge. Article in the Edinburgh Review. *The Falſity of its Allegations ſhown. Dr. Phillpotts not a Clerical Agitator. His Vote for Mr. Peel at the Oxford Election of* 1829. *Petition from the Dean and Chapter of Cheſter againſt Roman Catholic Relief Bill. Letter to Dr. Ellerton. Remarks of the* Times. *Motives which guided Dr. Phillpotts in voting for Mr. Peel. His Opinion on the Roman Catholic Queſtion unchanged. Mr. Peel's Change of Sentiment. Hard to eſtimate it aright at the Time. Fury of the Clergy. Combination of High and Low Church againſt Mr. Peel. The Vote of Dr. Phillpotts given with pain. Eſtrangement from Old Friends. Mr. Peel's Rejection. Satire and Rude Caricatures. Specimen of Verſes. The Conduct of Dr. Phillpotts in reference to the Roman Catholic Queſtion in* 1812. *Not an Advocate for Entire Excluſion. Meeting of the Clergy and Reſolution. His Amendment. His Views continued unchanged. Reaſon of the Malice of his Adverſaries.*

AND now the labours of Dr. Phillpotts in reſiſting the claims of the Roman Catholics were about to receive a ſubſtantial and appropriate recognition. The Deanery of Cheſter having become vacant by the promotion of Dr. Copleſtone to the See of Llandaff, that office was conferred upon him, and he was inſtituted to it on the 13th of May, 1828. He continued to hold it until his elevation to the Epiſcopal Bench in 1831. It was

remarked at the time of his inſtallation that both in perſon and voice he very cloſely reſembled a former dean, the Rev. Dr. Hodgſon—afterwards Dean of Carliſle.

No incidents of local intereſt occurred while Dr. Phillpotts held the Deanery of Cheſter, except the conduct of a difficult and complicated ſuit carried on in the Eccleſiaſtical and Civil Courts againſt one of the prebendaries, who had leaſed away part of the land attached to his prebendal houſe for building purpoſes. This ſuit was commenced by Dr. Copleſtone while Dean of Cheſter, and tranſmitted by him to his ſucceſſor. The extreme acuteneſs and readineſs of reply which were manifeſted by Dean Phillpotts, on ſome occaſions on which he was ſuddenly called upon to give an immediate anſwer to difficult queſtions of law or logic at the chapter meetings, were long remembered. The ſuit, however, poſſeſſes no intereſt to the public.

It was while Dr. Phillpotts was Dean of Cheſter that the meaſure for the relief of Roman Catholics was carried; * and it was now that he was accuſed of having ſacrificed the convictions of a life for the ſake of a mitre, which was to be the price of his perfidy. The odium created by this charge has laſted till the preſent day; common juſtice, therefore, demands that its truth or falſity ſhould be eſtabliſhed.

Among the many periodicals which from time to

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* See page 262.

time have lent themſelves to the propagation of this hideous charge, the *Edinburgh Review* may perhaps be ranked as the firſt, both from its extenſive circulation and the credit of its writers. The opinions of this Journal, therefore, may well be allowed to do duty for the reſt. In an article for 1852, the ſavage vindictiveneſs of which does as little credit to the heart of the writer, as its gigantic diſtortions do to his love of truth, the following occurs:—

"The Government which carried Catholic Emancipation was a Tory Government; and Tory ſtateſmen naturally deſired to avert the loſs of that clerical ſupport on which their power had ſo mainly depended; they knew the prejudices of the clergy, and felt how much they would be ſhocked by the paſſing of the meaſure; and they reaſonably wiſhed to ſecure the ſupport of that one of its moſt prominent eccleſiaſtical opponents, who had *oppoſed it eſpecially on religious grounds, and had moſt ſucceſsfully enliſted clerical paſſions againſt it.* His converſion and his arguments, it was hoped, might convince, or at leaſt ſilence many who hitherto had hung ſo fondly on his words. *Accordingly, the converſion of Dr. Phillpotts was effected at this critical juncture. He wrote in favour of the Bill, and he voted for the author of the Bill,* at the memorable Oxford election of 1829."

Now, if theſe charges were true, Dr. Phillpotts would, indeed, have been all and more than his anonymous defamer had wiſhed to make him out to be. But the writer allowed his ſpleen to carry him altogether out of the limits of truth, and having once fairly ſtarted in the congenial region of romance, a powerful fancy, ſtimulated by an atrabilious diſpoſition and impetuous

temper, hurried him to lengths of invective which are happily unknown to leſs aſpiring critics.

But falſe and cruel as theſe charges were, they claim a notice—more, however, for the ſake of that diſtinguiſhed Magazine which permitted its pages to be ſullied by the calumny, than for his who could proſtitute mental powers of no mean order for the ſake of indulging a paltry ſpite.

It happens, then, that Dr. Phillpotts had *not* oppoſed the Roman Catholic Relief Bill, "eſpecially on religious grounds," in the ſenſe imputed to him by the reviewer, nor had he "ſucceſsfully enliſted clerical paſſions againſt it."

The fact was that Mr. Canning and others had ſo blended the theological and political aſpects of the queſtion together that it was not eaſy to deal with one without the other. Nor was this confined to Parliament. Every tavern orator who daſhed into the queſtion imagined himſelf an Aquinas or a Luther as the Catholic or Proteſtant ſcale preponderated. Like the figure of Fortune, then, the queſtion had two faces, the religious and civil, and ſo dexterouſly was the image turned about that you could not always tell which face it was that was looking at you. Both, moreover, had become ſo battered and dirty by ill-uſage that the deluſion was helped in this way. Meanwhile, as the figure revolved, the perpetual cry of its attendant prieſts was for "toleration;" a happily choſen word, as ambiguous as the reſponſes of the oracle of old, and which might well do duty either for religion or politics, as need ſhould ariſe.

Dr. Phillpotts was one of the firſt to ſee through this miſerable trickery. But what could he do? There was the queſtion in a hopeleſs tangle. Alexander himſelf might have found a difficulty in cutting the knot. If a hoſt of ſpeakers and writers perſiſted in thruſting forward *theological arguments* in favour of *political meaſures*, was Dr. Phillpotts to be blamed if he ſhowed that their theology was about as profound as their pretenſion to political knowledge? The taſk was not one of his own ſeeking, neither was it an agreeable one. It was forced upon him; and to the laſt he viewed it as a hard neceſſity. Of all men living, however, he was probably the beſt qualified to perform it. With a quickneſs of perception and a ſteadineſs of purpoſe which were abſolutely marvellous, he threaded his way through the mazes of this dreary controverſy. If his opponents, as in the caſe of Mr. C. Butler and Dr. Doyle, inſiſted upon throwing down the gauntlet of religious argument, he could not do leſs than ſtoop to take it up. But it was only to diſarm a miſchievous adverſary, and not to conſtitute himſelf the leader of a clerical faction. If, then, the clergy learnt to reſpect his talents, Mr. Butler and the reſt were to be thanked for having called forth their diſplay. And there the matter ended; for he was not qualified to become the leader of his brethren. Largely as he could ſympathize with them in their efforts againſt Roman Catholic aggreſſion, yet widely did he differ from them as to the way in which that aggreſſion was to be met. And this will preſently be ſeen.

But if the charge of being a clerical agitator brought Dr. Phillpotts into diſcredit, the vote which he gave in favour of Mr. Peel at the memorable Oxford election of 1829, tended ſtill more to inflame the prejudice which was already excited againſt him. Early in that year it began to be rumoured that he had ſeen reaſon to change his opinions on the queſtion of Roman Catholic relief. The *Times* of February 3, gave publicity to this rumour, and ſpoke of the "ſpiteful dean who ſo maligned the illuſtrious Canning upon this very queſtion," having "wheeled to the right about, as if by military command." He was alſo accuſed of being the author of the forthcoming bill. And yet at this very time a petition to Parliament was being prepared by the Dean and Chapter of Cheſter, bearing upon it evidence of Dr. Phillpotts' maſterly pen, in which, in his character as dean, he proteſts againſt "the extravagant demands of the Roman Catholics of Ireland," and declares that "no ſcheme of ſecurities has yet been brought forward which ſeems in any tolerable degree adequate to its profeſſed object." Surely this was not the language of a man who had changed his principles, and was now ready to admit the Roman Catholics to civil privileges without any ſecurities at all. The intimation of his intentions in reference to the forthcoming election is contained in the following letter to Dr. Ellerton, Tutor of Magdalene College, Oxford, dated the 20th of February, 1829:—

"Dear Sir, I have received the favour of your letter, containing the recorded judgment of many moſt reſpectable

members of the Univerſity of Oxford, that Mr. Peel is unfit to be 're-elected at the preſent criſis,' and inviting me to vote for Sir Robert Inglis.

"On every perſonal and public ground I rejoice at the ſelection of ſuch a candidate by the opponents of Mr. Peel. Sir Robert Inglis is one of my beſt and moſt valued friends; a man of the higheſt character, and honourably diſtinguiſhed by his zeal and ability in defence of our Proteſtant Conſtitution.

"But I am ſure you will perceive that my vote, on this occaſion, muſt be decided by one ſpecial conſideration. Thoſe with whom you act have, in a direct and manly manner, brought the matter to this iſſue,—'Is Mr. Peel unfit to be re-elected at the preſent criſis?' I do not think that he is. I will not, therefore, aſſiſt in caſhiering him.

"And now let me trouble you with a few words reſpecting myſelf.

"You ſay, 'reports are circulated here (Oxford) in reſpect to a change of your opinions on a ſubject on which you have written ſo ably and ſo much. We are unwilling to give credit to ſuch rumours.'

"I thank you, and whoever elſe joins you in this ſentiment, for your unwillingneſs to give credit to anything which you may think diſcreditable to me. In the preſent inſtance, the rumours you refer to, as far as they have reached me, are either ſo vague as to be unintelligible to me, or, if they aſſume the ſhape of an allegation of facts, are abſolutely falſe.

"As to my opinions, they remain unchanged; they accord with the ſpirit of my Letter to Mr. Canning, pages 158—164, and more eſpecially with 'Application of the Argument,' in my Letter on the Coronation Oath, pages 176—180. If any of thoſe who have done me the honour of reading theſe works have happened to attend to ſuch parts only of them as fell in with their own preconceived opinions, it is rather hard that I ſhould be made anſwerable for their inadvertence. Be this as it may, I have the gratification of knowing that

the moſt diſtinguiſhed of the names in the printed papers you have ſent to me are not in this error. They have ſtated (as I doubt not you have heard), in voluntary vindication of an abſent and ſlandered friend, that my writings had prepared them to expect that I ſhould be favourable to the adjuſtment of the Roman Catholic queſtion, on terms compatible with the ſecurity of the Proteſtant Conſtitution.

"Whether the bill about to be brought into Parliament be of this character I do not know. If I ſhall deem it ſuch (and I heartily wiſh I may ſee reaſon to do ſo), I ſhall not be deterred by clamour, in any quarter, from avowing my opinion; if otherwiſe, I ſhall not be backward in joining in any fit mode of expreſſing diſſatisfaction.

"For the preſent, I content myſelf with citing to you, and to every one who may feel an intereſt in what concerns me, a ſingle ſentence (pages 179, 180), in my Letter, publiſhed laſt year on the Coronation Oath,—a ſentence which Mr. Wilmot Horton has with very good reaſon publicly treated as an invitation (he himſelf calls it a challenge), to conſider the matter of Securities on both ſides:—

"'In one word, then, ſee whether you (the Roman Catholics) can offer us any real and adequate Security for our Church, if the boon you aſk be granted; or try to find *the Securities which we, on our part, may deviſe*, ſuch as you can conſcientiouſly accede to.'

"Whether the writer of this ſentence can be juſtly charged with inconſiſtency, for now teſtifying, or acting upon, a wiſh, that adequate Securities may be propoſed, is a queſtion which I will not inſult your underſtanding by aſking you.

"You are at perfect liberty to conſider this as a public Letter.

"I am, dear Sir,

"Your faithful Servant,

"HENRY PHILLPOTTS."

That this letter ſhould have been regarded as evidence of defection from a cauſe which he had ſerved ſo long and ſo well, may reaſonably excite aſtoniſhment in an unprejudiced mind. The *Times* of February 24, 1829, truly enough ſays:—

"For the future it can only be wilful and obſtinate perverſeneſs that would charge him with having been hoſtile to conceſſion upon any terms; but unprejudiced men could never have fallen into that error, on reading the Letter to which we have alluded,* if it had been conceived and written in a milder temper, and had treated the illuſtrious ſtateſman (as he deſerved) with reſpect. However, people may now abuſe Dr. Phillpotts as they pleaſe for ſupporting Mr. Peel, if that be matter of reproach; but 'till they can rail the ſeal from off the bond,'—till they can obliterate what he has previouſly written—it *muſt be impudently and glaringly falſe in them to tax him with 'change of opinions.'*"

The motives which guided him in recording his vote in favour of Mr. Peel are ſupplied by Dr. Phillpotts himſelf in a letter to Sir Robert Inglis, written many years later:—

"It had been, and ſtill is, the honourable diſtinction of the Univerſity of Oxford, when once it has elected a Repreſentative in Parliament, to continue to him the undiſturbed poſſeſſion of his ſeat, unleſs he ſhould forfeit the confidence of his conſtituents by ſome flagrant departure from the principles which ought to actuate public men. Upon this occaſion, the queſtion, which was to decide the votes of the electors, was not whether they approved the bill which had been paſſed, but whether Sir Robert Peel had, by introducing it, deſerved to forfeit the confidence of his con-

* The Firſt Letter to Mr. Canning.

ſtituents. It was my undoubting judgment that he had not, and I felt myſelf bound to vote for him accordingly, in oppoſition to the wiſhes and judgment of many whom I moſt valued. I knew (or believed on grounds as ſatisfactory as knowledge) that Sir Robert Peel had been brought to a conviction of the impoſſibility of any longer effectually reſiſting the demand for conceſſion to the Roman Catholics. I knew that he had ſtated this his conviction to King George IV, and, having ſtated it, had entreated permiſſion to reſign his office—thinking it better for his Majeſty's ſervice that the meaſure ſhould be carried by ſtateſmen who had always ſupported it, than by thoſe who had hitherto reſiſted it. I knew that the King had refuſed the permiſſion which was aſked, and had required that thoſe miniſters who had adviſed the neceſſity of conceſſion, ſhould themſelves give him their ſervices in effecting it. Sir Robert Peel, in yielding to his Sovereign's very reaſonable demand, thought it right to give to his conſtituents an opportunity of declaring whether he had thereby forfeited their confidence. As one of theſe conſtituents, honouring the integrity with which I knew he had acted, I deemed it my very plain duty to teſtify that feeling by continuing to vote for him."

There is a manly tone about this ſtatement which muſt commend itſelf to every unprejudiced mind. Voting for Mr. Peel did not neceſſarily entail any ſupport of Roman Catholic claims. The opinion of Dr. Phillpotts on the great queſtion of conferring upon Roman Catholics a ſhare of the legiſlature, without exacting from them ample ſecurities, remained unchanged, and the vote which he felt bound to record in favour of Mr. Peel did not affect it. That a change of ſentiment had unhappily found favour with that diſtinguiſhed ſtateſman is known to every one, and

after a lapſe of more than thirty years the motives which influenced his conduct can be accurately weighed and appreciated. But when men's paſſions were inflamed to a degree almoſt beyond precedent—when O'Connell was declaiming in the Rotunda at Dublin, and Moore was ſinging his patriotic ſongs in the drawing-rooms of the Weſt End—when, in a word, a Roman Catholic fever of unprecedented virulence ſeemed to have ſeized upon the country, and was rapidly approaching its criſis, it was not eaſy—it was not poſſible—to do juſtice to this gifted man. Hence, many of the clergy, freſh from remote country pariſhes, were furious, and haſtened up to Oxford to record their indignant votes againſt him. Never before, perhaps, was there ſo extraordinary an exhibition of the violent temper of partiſans, as in the ſcene which then took place. High and Low Church forgot the differences of a lifetime in a coalition againſt the "Iſcariot of the age," for ſo Mr. Peel was ſomewhat profanely called. Living out of the world, as many of the clergy did, and juſtly meriting the reproach of Dr. Arnold,* that they were wanting in acquired knowledge and impartiality, they were as yet unconſcious of the tide of popular feeling which had ſet in ſo ſtrongly. Dr. Phillpotts, however, and others like him, while they ſhrank from the idea of conceſſion without ſecurities, could yet honour the ſtateſman,

* "The Chriſtian Duty of granting the Claims of the Roman Catholics," &c.

who, unable to reſiſt his convictions, had laid his office at the feet of his Sovereign. For eighteen years he had offered an uncompromiſing, but a temperate, fair, and conſtitutional reſiſtance to making any further conceſſions to the Roman Catholics; it could have been no light motive, therefore, which impelled him to abandon principles of which he had for ſo long been the acknowledged and honoured champion. But what wonder is it that Mr. Peel ſhould have ſuccumbed to what he regarded as a ſtern neceſſity, when ſuch a man as Lord Eldon, the hope and buttreſs of the old Tory party, could ſay on the eve of the meaſure being carried, "We ſhall fight reſpectably and honourably, but we ſhall be in a wretched minority; but what is moſt calamitous of all is, that the *Archbiſhops and ſeveral of the Biſhops are againſt us.*"

It is only due to Dr. Phillpotts to ſay that the vote which he recorded upon this occaſion gave him much pain, and cauſed an eſtrangement from old and valued friends,—a circumſtance which may well recall the memory of more recent Oxford elections, when a ſtateſman as diſtinguiſhed as Mr. Peel, and once the cheriſhed repreſentative of the moſt Conſervative body in England, ſaw his former ſupporters ſtand aloof, if not foremoſt in the oppoſing ranks. Ill muſt it be for him if he read not in the paſt the tokens of his future diſmiſſal!

If anything could have added to the pain with which Dr. Phillpotts gave his vote, it was the fact that he found himſelf in oppoſition to his revered

friend Dr. Routh, Preſident of Magdalene College, who nominated Sir Robert Inglis. But this was not all. He voted on the loſing ſide, Mr. Peel having been rejected by a majority of 146, after a conteſt of three days, during which 1364 votes were polled. This poſition, agreeable at no time, was rendered doubly trying when rude ſatire and coarſe invective were liberally employed to hold the hapleſs voter up to ridicule.

Thus, while Mr. Peel was figuring in a caricature which repreſented Canning emerging from a tomb, and purſuing him with the words, "I am avenged!" the bookſellers' ſhops were crowded with prints of "the great rat," as Dr. Phillpotts was called, with more of Feſcennine humour than truth. Squibs alſo, more or leſs highly ſeaſoned to ſuit the public taſte, were handed about from one common room to the other. The following ſpecimen will ſuffice:—

"I ſaw a Biſhop in a conſternation
Reſpecting a ſcrap of erroneous Latin,
Thinking about 'a new tranſlation,'
And aſking what was the Greek for 'ratting.'
I ſaw a man with a ſhovel-hat,
One who knows full well what's what;
'Sir,' he ſaid, 'among my fancies
I've been poring o'er S. Francis,
And much light—much light—I've had;
Really 'tis not half ſo bad.
Truly, Sir, I can't but feel
(My reſpects to Mr. Peel),
Oftentimes, dear Sir, and long
I have done the Papiſts wrong;

And I'll haſten to repair it,
For I know not how to bear it."

But there is another charge againſt Dr. Phillpotts; that of having "moſt ſucceſsfully enliſted clerical paſſions" againſt the bill for Roman Catholic relief. This has already been referred to.* And here, again, he had much to complain of. So far from having aſſumed the character of a *clerical* agitator, for motives of worldly gain, as was pretty broadly hinted, he in reality *refuſed to take any part* in the petitions againſt the meaſure which were ſent up to Parliament from his own Dioceſe. The great body of the clergy, in the exceſs of their fears, believed that the only ſecurity againſt the aggreſſions of the Roman Catholics was *entire excluſion* from civil privileges. Meetings in the ſeveral Archdeaconries and Rural Deaneries were haſtily convened, and reſolutions paſſed which often exhibited more zeal than diſcretion. But Dr. Phillpotts ſaw that the day for excluſion was paſt, and that all that remained was to exact ſuch ſecurities from the Roman Catholics as might enſure their loyal and peaceable behaviour. So long ago as the year 1812, when the Biſhop of Durham (Dr. Barrington) had expreſſed a deſire that a Petition ſhould be preſented to Parliament from the Clergy of his Dioceſe againſt the bill which Mr. Canning was about to introduce, Dr. Phillpotts told him, in the moſt ſtraightforward manner, that his own opinion was in favour of conceſſion *if accompanied by adequate ſecurities.* A meeting was convened by

* See pages 270, 271.

the Archdeacon, and the petition having been moved and ſeconded, an amendment was propoſed by Dr. Phillpotts, expreſſing confidence in Parliament that no ſuch bill would receive its ſupport, *unleſs due ſecurities were provided for the Church*, and its permanent connection with the State. The amendment was carried.

That theſe views continued to actuate him will be ſeen from an examination of his letters to Earl Grey, and Mr. Butler, as alſo his more recent letter on the Coronation Oath. In each of theſe conceſſion is treated as poſſible—with the ſafeguard of ſufficient ſecurities.

And yet, in the face of this explicit declaration of his ſentiments, his motives were traduced and his character for honeſty was impugned. The truth is, his aſſailants had adopted ſo much of his writings as they ſaw fit, and eagerly thruſt them forward as favouring their doctrine of entire excluſion. But when Dr. Phillpotts declared that ſuch were not his views, and that he was not averſe to an adjuſtment of the Roman Catholic queſtion, provided that ſufficient ſecurities could be offered, their indignation knew no bounds, and they pretended to ſay that they had been betrayed. No charge could be more unfounded. Few men acted with conſiſtency equal to that of Dr. Phillpotts, throughout the whole of this trying controverſy, and no one had to make greater ſacrifices to the ſincerity of his convictions.

It will be neceſſary to return to this ſubject further on in this volume.

CHAPTER XVIII.

Dr. Phillpotts appointed Biſhop of Exeter. His Election by the Chapter. Petition of the Inhabitants of Stanhope againſt that Living being held in commendam *with the Biſhopric. Great Excitement in the Country. The Petition conſidered. Stanhope had previouſly been held* in commendam *by three Prelates. Spoliation of the See of Exeter at the Reformation. Examples of Biſhops of Exeter who had held Livings* in commendam. *If a Living were to be held with Biſhopric, ſpecial reaſons why it ſhould be Stanhope. Dr. Phillpotts refuſed to accept the See of Exeter unleſs he were permitted to hold Stanhope. Sir James Graham's Notice of Motion. Change of Government. New Miniſtry refuſe to allow Dr. Phillpotts to hold Stanhope. The Hardſhip confeſſed. Promiſe of Further Preferment. Manner in which the Arrangement was carried out. Petition of Clergy of Exeter againſt the Appointment of Dr. Phillpotts to that See. His alleged Change of Sentiment on the Roman Catholic Queſtion. Exculpatory Statement by Sir H. Hardinge. The Charge revived by Lord Radnor. Appeal of the Biſhop to the Duke of Wellington. His Grace's Reply, fully exculpating him from the Charge.*

T the cloſe of the following year, (1830,) Dr. Chriſtopher Bethell, having been tranſlated from Exeter to Bangor, the former See was offered to Dr. Phillpotts by the Duke of Wellington, and accepted by him. On the 11th of November the King was pleaſed to order a *congé d'élire* to paſs the Great Seal, empowering the Dean and Chapter of Exeter to chooſe a biſhop;

and on the 22nd of the ſame month Dr. Phillpotts was elected, the confirmation taking place on the 9th of December following.

But no ſooner was it known that he was to be elevated to the Epiſcopal Bench than ſome of the inhabitants of Stanhope preſented a petition to the King, praying that that important living might not be held *in commendam* with the diſtant See of Exeter. The movement was ſet on foot by a Mr. Rippon, who headed a ſmall party of the moſt violent Anti-Church ſection of the pariſhioners that could be collected. Thoſe were the days when it was eaſy enough to excite clamour againſt a clergyman, more particularly one ſo diſtinguiſhed as Dr. Phillpotts. Hence it was that this otherwiſe inſignificant memorial created great excitement in the country; and as Dr. Phillpotts' conduct was very ſeverely canvaſſed, it will be well to take a diſpaſſionate ſurvey of the circumſtances of the caſe.

The chief points in the petition of the inhabitants of Stanhope were—1st, That "the population of which the rector has the ſpiritual care conſiſts of 12,000 inhabitants." 2nd, That "he delegates the ſpiritual care of theſe 12,000 ſouls to a hireling." 3rd, That "the pariſh pays him a tithe of 4000*l.* a-year, and therefore may claim the advantages of a reſident rector."

Suppoſing theſe allegations to have been true, it muſt be confeſſed that the people of Stanhope had good cauſe to complain. But, unfortunately for the credit of their petition, the memorialiſts had allowed their antipathy to Dr. Phillpotts to carry them into the

region of romance. Thus, the population was ſtated as 12,000, while the cenſus preceding Dr. Phillpotts' appointment gave the number as 4600 leſs, and of the remainder nearly 5000 were not under the ſpiritual care of the Rector of Stanhope at all, but belonged to an ancient chapelry, which had its own miniſter, and its own endowment, and was in all reſpects an independent benefice. A ſecond incumbency had recently been erected within the limits of that chapelry; and although the Rector of Stanhope had the right of preſentation to theſe cures, yet they were wholly independent of him. This left Dr. Phillpotts with the charge of about 3000 ſouls, being 9000 leſs than ſtated in the memorial. After this mis-ſtatement it might be thought to be ſcarcely worth while to inveſtigate the other allegations, were it not to ſhow the ſpirit in which the petition was conceived, and the amount of attention which was due to it.

The ſecond point of the petition was that the rector "delegates the ſpiritual care of 12,000 inhabitants to a hireling." The object of this was to inſinuate that Dr. Phillpotts was never reſident on his benefice; than which nothing could be more untrue. Inſtead, however, of the charge being delegated "to a hireling," *two* reſident curates were employed, both of them men of education and high character. When his own ſervices are added, it muſt be confeſſed that the ſpiritual wants of the people of Stanhope were not inadequately provided for.

The third point was that "the pariſh pays to the

rector a tithe of 4000*l.* per annum, and therefore has a right to the advantages of a reſident rector." This allegation was as unfounded as the others, for, although the income of Stanhope was large, yet the ſum paid by the pariſhioners to the rector did not exceed 600*l.* per annum!

The pecuniary calculations of the memorialiſts were, therefore, as much at fault as their ſtatiſtics. The truth was that the bulk of the emoluments of the living aroſe from an ancient donation of the See of Durham, which conferred on the Rector of Stanhope a portion of the ore raiſed in the lead mines of the See ſituate within the pariſh. At the time of Dr. Phillpotts' appointment this amounted to about 3000*l.* per annum. The chief part of the income of Stanhope, therefore, was taken from *the revenues of the See of Durham*, and not from the tithe paid by the pariſhioners; and ſince Stanhope was occaſionally held *in commendam*, that See was made to contribute ſomething from its princely revenue to a poorer biſhopric. Whether this might not have been arranged in a way leſs likely to cauſe ſcandal is, of courſe, a ſerious queſtion: but the fact remains. It was the *Biſhop of Durham* who mainly contributed to the endowment of Stanhope, and not the *pariſhioners*, as was alleged.

Neither was it an unuſual circumſtance that Stanhope ſhould be held *in commendam* with a biſhopric. That living had been held in this way by three prelates who were the immediate predeceſſors of Dr. Phillpotts. Biſhop Butler (the author of the *Ana-*

logy), who held it with the See of Briſtol; Biſhop Keene with the See of Cheſter, and Biſhop Thurlow with the See of Lincoln. Now it is well known that the See of Exeter was ſpoiled of much of its revenue in the reigns of Edward VI. and Elizabeth, and although many people might be inclined to think that 2700*l.* a-year, with an epiſcopal palace, and a ſeat in the Houſe of Lords, is a ſufficient worldly proviſion for a follower of Him who had not where to lay His head; yet this idea does not ſeem to have found much favour with the Biſhops of Exeter, for during this century three of them have held important livings in addition to their See. Biſhop Courtenay was rector of S. George's Hanover Square, containing 43,936 inhabitants, as ſcandalous a caſe as any on record. Biſhop Pelham held a pariſh in Suſſex of 1907 inhabitants, while Dr. Bethell, the immediate predeceſſor of Dr. Phillpotts, held a living in the ſtill more remote county of Yorkſhire, containing 841 inhabitants. It was plain, then, that Dr. Phillpotts, in ſeeking to increaſe his epiſcopal income, was only following the example of his predeceſſors, and the people of Stanhope were no worſe off than they had often been before. No doubt it is much to the diſadvantage of any pariſh to be deprived of the ſuperintendence of its rector, and it is a happy thing for the Church that the abuſes of paſt generations are no longer poſſible. The complaints embodied in the petition of the people of Stanhope, however, were not borne out by fact. It would, indeed, have been a noble act, and one which in days

when it was the faſhion to ſcoff at holy things, would have tended much to elevate his order in the eyes of the people, if the newly-elected Biſhop of Exeter had declared his intention of claiming nothing but the revenues of his See. It would have been a proof, ſuch as the multitude could underſtand, that when a man gave up a living of 4000*l.* a-year, beſides a deanery, for a biſhopric whoſe value was under 3000*l.*, there was ſomething more intended by the Epiſcopal office than that it ſhould open the door to opulence. On the other hand, it muſt be remembered that Dr. Phillpotts had at this time a large family growing up, and it would be a ſerious queſtion with every prudent parent as to whether he were juſtified in accepting a dignity which at the ſame time deprived him of half his income. But if a living *was* to be held *in commendam* with the Biſhopric of Exeter, there were ſpecial reaſons why that living ſhould be Stanhope. When Dr. Phillpotts was preſented to that benefice he was required by the Biſhop of Durham, who was the patron, to build a parſonage-houſe. The coſt of this, together with a reſidence for the curates which was alſo built, amounted to 12,000*l.*, and this ſum was not charged upon the living, but was defrayed by Dr. Phillpotts himſelf. It may, perhaps, be thought an exceſſive ſum for the erection of a glebe houſe; but then the very largeneſs of the amount is a proof of the liberality with which Dr. Phillpotts diſpenſed his income. He might have died as ſoon as the houſe was completed, and then his ſucceſſor would have been

provided with a noble reſidence without the living being burdened to the extent of a ſingle penny. The fact, then, that he had ſunk property in Stanhope, to the extent of about 600*l.* per annum, was a reaſonable ground for requiring that if any living were to be held with his biſhopric, that living ſhould be Stanhope.

Nor muſt it be ſuppoſed that the deſire to hold Stanhope *in commendam* with the See of Exeter was an afterthought on the part of Dr. Phillpotts. As ſoon as ever it was notified to him that it was the King's intention to raiſe him to the Epiſcopal Bench he ſtated, with the utmoſt openneſs, that he ſhould be unable to accept the dignity, if he was not allowed to retain his living. His propoſal was aſſented to, and he was informed that orders would be given to prepare the proper inſtruments to enable him to retain Stanhope, upon which he immediately accepted the offer of promotion. But before this arrangement could be carried out a change of government had occurred.

Meanwhile, the matter was brought before Parliament, and, on November the 10th, Sir R. Peel ſtated, in reply to a queſtion from Mr. Beaumont, that it was the intention of government to allow the Biſhop of Exeter to hold Stanhope *in commendam*. Upon this Sir James Graham gave notice that he ſhould move an addreſs to the King on the ſubject. The next night Lord Belgrave, on behalf of Dr. Phillpotts, requeſted the Houſe to ſuſpend their judgments on the matter until a future night, when a ſtatement would

be made. Meanwhile, he hoped that theſe *ex parte* allegations which had appeared in the newſpapers, and elſewhere, and to which it was evident that Dr. Phillpotts could not reply, might not be allowed to bias the judgments of thoſe whoſe duty it would be to pronounce upon the caſe. On November the 22nd the promiſed ſtatement was made in the Houſe by Mr. Phillpotts, Member for Glouceſter, the biſhop's eldeſt brother, relative to Stanhope; and on December the 9th, in reply to a queſtion by Mr. C. Wynne, Lord Althorp replied, on behalf of the new Government, that his Majeſty's Miniſters, upon finding a great objection prevailing throughout the country on the ſubject of the living of Stanhope being held *in commendam* with the See of Exeter, had felt it their duty to adviſe his Majeſty to abſtain from iſſuing the inſtruments required for that purpoſe. The truth was that Sir James Graham—who had a notice on the order-book of the Houſe of a motion for an Addreſs to the Crown praying that leave might not be granted to hold Stanhope *in commendam*—had now become a member of the new Cabinet; and this circumſtance made it impoſſible to grant Dr. Phillpotts permiſſion to hold the biſhopric and the living together. On the other hand, it was repreſented by Dr. Phillpotts to Earl Grey, that, if permiſſion to retain the living were withheld, the income of the See of Exeter would be totally inadequate to his wants.

The ſubject was referred to again on December the 15th, when Lord Althorp ſtated that, in the deciſion to

which the Government had come they were not actuated by any perſonal conſiderations towards Dr. Phillpotts, but that it was on public grounds alone that they had adviſed his Majeſty not to allow the living of Stanhope to be held *in commendam.* They conſidered it a groſs abuſe to permit a living of ſuch importance, and requiring the conſtant attention of the incumbent, to be held by a perſon who muſt neceſſarily reſide at a diſtance. At the ſame time he was aware that a great hardſhip was inflicted on Dr. Phillpotts; for he had accepted the See of Exeter on the diſtinct underſtanding that he was to hold the living of Stanhope *in commendam.* Under theſe circumſtances the Government had determined to add to the See of Exeter the firſt Church preferment in the gift of the Crown which fell vacant, and did not involve the cure of ſouls.

The arrangement coſt Earl Grey ſome trouble. The queſtion, however, was ultimately referred to the Biſhop of Durham (Dr. Van Mildert), who offered the Rectory of Stanhope to the Rev. W. N. Darnell, a canon of the cathedral, and he, on his acceptance of it, reſigned his ſtall in favour of Dr. Phillpotts. This preferment he has continued to hold, together with his biſhopric, up to the preſent time, and his increaſing years and infirmities do not prevent him from taking his regular turn of reſidence, and diſcharging the duties of his office with exemplary punctuality. The living of Shobrook, near Crediton, is alſo held by the biſhop, it having been annexed to the See of Exeter on the death

of Dean Carey in 1680. The biſhop never reſides there, and the duties are performed by a curate.

But while the inhabitants of Stanhope were petitioning the King, and the newſpapers were loud in their invectives againſt the biſhop deſignate, a memorial was forwarded to Government, by ſome of the clergy of the dioceſe of Exeter, praying that the choice of Dr. Phillpotts might not be confirmed. Nothing but the moſt extreme caſe could be held to juſtify a ſtep ſo unuſual. Whether the Exeter clergy could plead this juſtification will be ſeen from the ground-work of their petition, which alleged a change of ſentiment, on the part of Dr. Phillpotts, upon the queſtion of Roman Catholic Emancipation, as the reaſon for their approaching the Throne. But it would have been wiſer —and aſſuredly it would have ſaved an ever-recurring ſource of bitterneſs in days to come—if the petitioners had taken the trouble to ſatisfy themſelves that Dr. Phillpotts really *had* changed his ſentiments for the ſake of a mitre. An examination of his writings would have convinced them that his ſentiments were unaltered. It is true that he had voted for Mr. Peel; but was excluſion from the Epiſcopal Bench an appropriate puniſhment for ſuch an offence? There were other conſiderations alſo which might have helped them to a right concluſion, for when the queſtion of Stanhope was under diſcuſſion in the Commons, Sir H. Hardinge ſtated that he felt it his duty to mention circumſtances attendant upon the promotion of Dr. Phillpotts. He

then proceeded to ſay that the Duke of Wellington, by whoſe authority he ſpoke, had communicated with Dr. Phillpotts on the ſubject of the Roman Catholic Relief Bill, and that Dr. Phillpotts, inſtead of being, as was generally ſuppoſed, an approver of that meaſure, had been in fact an opponent of it, up to the time when it paſſed. He alſo ſtated further, on the authority of the Archbiſhop of Canterbury, that it had been the intention of Lord Liverpool to raiſe Dr. Phillpotts to the Epiſcopal Bench. He alſo ſaid that the Duke of Wellington made the uſual communications to the Archbiſhop of Canterbury, and the Biſhop of London, and that the noble duke received the aſſent of thoſe prelates to the propriety of the appointment of Dr. Phillpotts to the See of Exeter. They had, indeed, ſaid that the appointment might be unpopular in the Church; but as the duke knew that the grounds on which Dr. Phillpotts was unpopular were altogether miſtaken and unfounded, he felt that this could be no ſufficient objection to the appointment.

It might be thought that this would have been ſufficient to have ſecured Dr. Phillpotts againſt a repetition of thoſe unmanly attacks to which he had been expoſed. But once ſtart a ſlander—no matter how improbable—and when it has gained poſſeſſion of the public ear, no proteſtation of innocence on the part of its victim will ever be able to eradicate the miſchief. Lucky for him if he does not carry the ſtigma to his grave! This was pre-eminently the caſe with Dr. Phillpotts. He was

deſtined to fare no better than many a man as wiſe and great as he.

Although it is ſomewhat anticipating the courſe of events, it may not be out of place to refer to circumſtances which led to a ſtill more emphatic and complete vindication of his character. After he had taken his ſeat in Parliament, and ſome of the reforming lords had taſted his cauſtic eloquence, and found it little to their liking, it was thought convenient to rake up this charge of having changed his opinions. "Turncoat" is a name from which all men ſhrink, more particularly when that coat has been turned for gain; and if this epithet could only be faſtened on the biſhop, it would effect more againſt him than they could hope to do by a whole ſeſſion of ſpeeches. But it was not a pleaſant ſight to ſee a noble lord calmly reiterating, before his brother peers, a charge which had been publicly refuted months before on the authority of the Duke of Wellington himſelf. And yet on March the 22nd, 1831, the Earl of Radnor thought it not beneath him to revive the old ſlander. Fortunately, the Duke of Wellington happened to be preſent, and taking advantage of this, the Biſhop of Exeter roſe and ſaid:—

"I do not mean to treſpaſs long on the indulgence of your Lordſhips; and I muſt firſt return my thanks to the noble Earl who has made the inſinuation or charge, as it affords me an opportunity, by the ſtatement of a few facts, of giving it a plain, but, as I hope, ſatisfactory anſwer. What I am now about to ſay is known to one of your Lordſhips, and one who, if I err in my ſtatement, can immediately contradict

me. I refer to the noble Duke (Wellington) lately at the head of his Majeſty's Government, and I entreat that noble Duke, if I ſhould in the leaſt err in my ſtatement, to contradict me. I ſuppoſe the noble Earl who made this charge concluded that I had pledged myſelf with the late adminiſtration to give my unqualified ſupport to the Catholic queſtion. On that queſtion I have always held decided opinions, and I have always thought that conceſſion ſhould not be granted without being accompanied with ſtrong ſecurities. My opinions on that ſubject were well known. The noble Duke, when in office, had done me the honour to communicate with me on the ſubject, and, having ſtated his intention to propoſe a meaſure for the relief of the Catholics, had condeſcended to aſk my opinion. I told the noble Duke the ſecurities I thought neceſſary; and having aſcertained, through the ſame channel, the determination of the Cabinet, I told the noble Duke that I entirely diſapproved of the propoſed meaſure, and in all my communications with the noble Duke I took the liberty of telling him that the propoſed ſecurities were inadequate. Having made this ſhort ſtatement, I again put it to the noble Duke, who alone knew of the communications, to contradict me, if what I have ſtated is incorrect."

The Duke of Wellington felt bound in juſtice to ſay that not one word had been uttered by the biſhop which was not perfectly correct. He had been often ſurpriſed at the imputations which had been thrown out, and the injuſtice which had been done to the Right Rev. Prelate reſpecting circumſtances which could not have been known to the public, nor indeed to any other perſon but themſelves. For his own part, he could ſay that ever ſince the correſpondence took place he had never mentioned it to any one, and he believed the Right Rev. Prelate had obſerved a ſimilar reſerve.

After a ſtatement ſo open and explicit, it would be idle to ſay more in refutation of the calumny. Truth muſt at laſt prevail, and until diſcredit is thrown upon the honoured name of the Duke of Wellington, Dr. Phillpotts has the proud conſciouſneſs of feeling that he was elevated to the Epiſcopal Bench by a ſtateſman whoſe views upon a great queſtion of national policy he had the courage to oppoſe.

CHAPTER XIX.

Dr. Phillpotts conſecrated Biſhop of Exeter. Does Homage to the King. Arrival in Exeter. His Reception by the Mayor and Chamber. The Biſhop's Reply to their Congratulations. His Inſtallation. Firſt Sermon at the Cathedral. The Living of Tregony. Collated to a Stall at Durham. Meeting of Parliament. The Biſhop takes his Seat. His Firſt Speech in the Houſe of Lords. The Pariſh of Woodbury. The firſt Piece of Preferment at the diſpoſal of the Biſhop. Tour in Cornwall. Parliamentary Seſſion. Arrives at Ilfracombe. Viſits the Scilly Iſlands, and confirms there. Anniverſary Meeting at Exeter of the Society for the Propagation of the Goſpel in Foreign Parts. The Biſhop's Speech. Increaſed Circulation of the Bible. Tranquil State of the Dioceſe. Lending Libraries. Condition of the Scilly Iſlands. King's Letter for the Society for the Propagation of the Goſpel. Rumour of Reduction of Annual Grant to that Society.

THE conſecration of Dr. Phillpotts to the See of Exeter took place at the Archiepiſcopal Chapel, Lambeth, on Sunday, the 2nd of January, 1831, the conſecrating prelates being the Archbiſhop of Canterbury (Dr. Howley), the Biſhop of London (Dr. Blomfield), and the Biſhop of Llandaff (Dr. Copleſtone). The ſermon was preached by the Rev. J. Bartholomew, who afterwards became examining chaplain to the biſhop. It was printed at the command of the archbiſhop.

Having done homage to the King at the Pavilion

at Brighton, the biſhop very ſhortly afterwards ſet out for his diſtant dioceſe, arriving in Exeter on Monday the 10th of January. News of his coming had ſpread through the town and neighbourhood, and, in conſequence of the circumſtances attending his appointment, great anxiety was manifeſted to ſee him. His welcome, if not enthuſiaſtic, was reſpectful. The children of the Epiſcopal Charity Schools were drawn up in line on the Heavitree road, and on the biſhop's carriage making its appearance the ſenior boy came forward and delivered an appropriate addreſs. The biſhop was evidently much pleaſed; and after exchanging compliments with the citizens, who muſtered in a ſtrong body, he was eſcorted to the Eaſt-gate, where the mayor and chamber and many of the clergy were waiting to receive him at the houſe of the Rev. Dr. Collyns, Head Maſter of the Grammar School. The mayor (Paul Meaſor, Eſq.) then addreſſed the biſhop, congratulating him on his advancement to the See, and expreſſing a hope that the good underſtanding which had ſo long ſubſiſted between the Biſhops of Exeter and the civil authorities of the city might continue unimpaired. The biſhop, in an elegant and characteriſtic ſpeech, thanked the mayor and the other members of the chamber for the reception they had given him. He had expected, he ſaid, to meet with a kind congratulation from the chief magiſtrate on his arrival, but had not been prepared for ſo impreſſive an addreſs as the mayor had juſt delivered. He was fully ſenſible of the importance of the dignity to which

he was now called. It was well known that among all the cities of England none was more juſtly renowned for its loyalty than Exeter; and the kind expreſſions of congratulation which he had juſt heard led him to form the higheſt hopes for the future. The biſhop again expreſſed his thanks for the kind manner in which he had been received, and was then introduced by the mayor to the other members of the chamber. A proceſſion was then formed, which proceeded down High Street and through Broad-gate into the Cloſe, where the biſhop was met by the dignitaries of the cathedral, each of whom offered congratulations. The biſhop did not enter the cathedral upon this occaſion, in conſequence of the official mandate not having arrived from London, but proceeded to the palace. He was inſtalled on the following Friday. On the next Sunday (January the 16th) his lordſhip preached for the firſt time in the cathedral, from Matt. xiv. 1, 2: "At that time Herod the tetrarch heard of the fame of Jeſus, and ſaid unto his ſervants, This is John the Baptiſt; he is riſen from the dead; and therefore mighty works do ſhow forth themſelves in him." The text, which was taken from the ſecond leſſon for the day, was thought by many to be a ſingular one for the occaſion, and the ſermon contained no alluſion to his recent appointment.

The firſt living to which the biſhop inſtituted a clergyman (the Rev. J. L. Lugger), was Tregony, Cornwall, on the 19th of January, 1831. It is ſomewhat remarkable that the right of preſenting to this living

is now the ſubject of protracted litigation between the biſhop and the patron, the nominee of the latter having been refuſed inſtitution by his lordſhip. Tregony, then, as is not unlikely, will be aſſociated with the earlieſt and lateſt days of his epiſcopate.

On the following Sunday (January the 23rd) the biſhop preached again in the cathedral, from Matt. xxi. 19, 20, the ſecond leſſon for the day; and it was generally thought that this ſermon did more than the firſt to vindicate the high reputation which he had brought with him into the dioceſe.

It was in this month that the biſhop was collated to a ſtall in Durham Cathedral, on the reſignation of the Rev. W. N. Darnell.*

Parliament having met on the 3rd of February, the biſhop left Exeter on the 5th for Groſvenor Place, London, to aſſiſt in the buſineſs of the ſeſſion. On the 7th he took the oaths and his ſeat in the Houſe of Lords. He was introduced by the Biſhop of Lincoln (Dr. John Kaye) and the Biſhop of Llandaff (Dr. Edward Copleſtone), and, after ſigning the Declaration, he took his ſeat on the biſhops' bench, where he received the congratulations of the Lord Chancellor. After this it became his duty to read prayers in the Houſe as junior biſhop.

The firſt occaſion of the biſhop ſpeaking in Parliament was on the 29th of March in this year (1831), upon a matter connected with his dioceſe. Lord King

* See page 290.

preſented a petition from the pariſh of Woodbury, in Devonſhire, complaining that, while 600*l.* a-year was levied in that pariſh, and appropriated to the Choral Fund of the Cathedral of Exeter, only 50*l.* was paid to the curate, who performed all the eccleſiaſtical duties in that pariſh. The biſhop then briefly ſtated that he had no juriſdiction in the matter, as it was one of thoſe caſes in which the tithes were all in the hands of lay impropriators.

The hiſtory of the caſe is as follows. In 1205, Henry Marſhal, Biſhop of Exeter, having acquired from Abbot Jordan and the Convent of S. Michael in Normandy, the Church of S. Swithin in Woodbury, with all its appurtenances, he made it over to the choral vicars of the cathedral, in conſideration of the fatigue which they had to undergo in performing the Divine Office by day and night, and of the ſmallneſs of their ſtipends—20*s.* per annum; 40*s.* per annum being reſerved for the parochial incumbent, and 10*s.* for his clerk. This grant was confirmed by Biſhop Brewer on the 28th of May, 1227, who was alſo a liberal benefactor to their body. Shortly after this, Reginald de Albemarra, knight, from the motive of charity, granted them the right of paſture for a certain number of beaſts and cattle, throughout the whole of his land of Woodbury, except in the wood and garden, with ſome other perquiſites and privileges.

The vicars choral are rectors of the pariſh, and uſed to exerciſe all juriſdiction. This ceaſed about fourteen years ſince. The reſident clergyman was

accuſtomed to act under their mandate, and uſually without epiſcopal licence. In 1832 the incumbent's income was raiſed from 50*l.* to 82*l.* per annum.* It was ſubſequently augmented to 145*l.* per annum. Towards a parſonage-houſe the vicars choral gave a ſite, as well as ſome money. The reſt was ſupplied by the indefatigable labour of the preſent excellent incumbent, the Rev. J. L. Fulford, who ſunk a conſiderable ſum of his private property in its erection, the total coſt being 1700*l.* It is only due to the vicars choral of Exeter to ſay that they are unable to do what they could wiſh for the pariſh of Woodbury, on account of the inſufficiency of their ſalaries. The fault does not lie with them, but with the Dean and Chapter.

The biſhop does not appear to have taken any ſhare in the parliamentary debates of this ſeſſion.

On the 9th of May he conferred a ſtall in the cathedral on his chaplain, the Rev. John Bartholomew,† vacant by the death of the Rev. John Bradford Copleſtone, the father of the Biſhop of Llandaff. This was the firſt piece of preferment which fell to his diſpoſal. On the 14th of the ſame month he arrived in Exeter from London, and preached on the following day (Sunday) to a very full congregation in the cathedral. His ſtay upon this occaſion was of very ſhort duration,

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* This is referred to again in Chap. XXII.

† This gentleman, in addition to his canonry, is now Archdeacon of Barnſtaple, and Rector of Morchard Biſhop.

for on the Monday morning he left for Cornwall, on a viſit to Archdeacon Sheepſhanks, near Penryn. He remained in Cornwall for three weeks, inſpecting many pariſhes and churches, and returning to Exeter on June the 9th. The next morning he left for London to attend to his duties in Parliament, which met on the 21ſt of June, after the diſſolution. He did not ſpeak at all during the ſeſſion, and, on July the 2nd, he arrived with his family, by ſteam-packet from Clifton, at Ilfracombe, a romantic watering-place in the north of Devon, where he remained ſome weeks enjoying the ſea-breezes, and making the acquaintance of the neighbouring clergy and gentry. During his ſojourn he preached in the pariſh church, much to the delight of the good people of the diſtrict.

While ſtaying at Ilfracombe, the biſhop conferred the living of Rockbeare, near Exeter, on the Rev. Henry Nicholls (22nd of July), an old and much-reſpected clergyman of the dioceſe, who for many years had been Head Maſter of the Grammar School at Barnſtaple. This appointment gave great ſatisfaction.

At the cloſe of the following month (Auguſt 30), he paid an epiſcopal viſit to the extreme boundary of his extenſive dioceſe, arriving at Scilly, in H. M. S. Hermes, accompanied by his chaplain and the Archdeacons of Cornwall and Totnes. Immediately on landing he proceeded to the houſe of John Johns, Eſq., agent to the Duke of Leeds, where apartments had been prepared for himſelf and his ſuite. After a ſhort reſt he proceeded to make a tour of the Iſlands,

viſiting in turn S. Martin's, Treſco, and Bryer, inſpecting the churches and ſchools in each place, and making very minute inquiries into the ſtate of the Pariſhes. In the evening his lordſhip dined with a large party, including all the clergy, at the houſe of his liberal hoſt, where taſte and munificence were alike conſpicuous. On the following day the biſhop attended Divine Service at S. Mary's Church, and preached a moſt able and impreſſive ſermon on Confirmation, on which occaſion the church was crowded in every part, to a greater degree than was ever before witneſſed. The appearance and ſolemn demeanour of the congregation, compoſed of perſons from all the Iſlands, was pleaſing in the extreme, and could not fail to afford ſatisfaction to their dioceſan. About 250 perſons received the ſacred rite of Confirmation; ſhortly after which the biſhop and ſuite proceeded to S. Agnes to inſpect the ſchool there, and in the evening he left Scilly for Plymouth, accompanied by the reſpectful attachment of all who had had acceſs to him, and who looked forward to the probability of a future, though perhaps diſtant, viſit, with feelings of unmingled ſatiſfaction.

On his return from Scilly the biſhop proceeded to Exeter for the purpoſe of attending the anniverſary of the Societies for the Propagation of the Goſpel in Foreign Parts, and for Promoting Chriſtian Knowledge, which was held September the 15th. There was a ſpecial ſervice in the cathedral, attended by the mayor and chamber; the ſermon being preached by the

Rev. J. Barker, of Silverton, after which a collection was made amounting to 75*l.* The civic authorities then returned to the Guildhall, where the cuſtomary meeting took place, the biſhop in the chair. After the Secretary's and Treaſurer's Reports had been read, the biſhop addreſſed the meeting; and as his ſpeech embraces many topics of intereſt it will be well to give it entire.

"Gentlemen, it is my duty to ſay a few words upon the Reports which I have juſt had the honour of reading to you,—and they will be very few words, for when I recollect the illuſtrious individuals who have preceded me in this chair, in ſupport of theſe ſocieties, I feel that it would be a moſt unjuſt intruſion upon your time, and a tax upon your patience, were I to detain you long. Still, however, I will ſay a few words. In the firſt place, then, in reference to the Report of the Committee of the Society for the Promotion of Chriſtian Knowledge. Allow me to congratulate you upon the increaſed diſtribution of its tracts, and, above all, the enlarged circulation of its larger and moſt important works, I mean the Bible, the Teſtament, and Prayer-book, of which a larger portion than ordinary has been diſtributed during the paſt year—a year upon the ſucceſs of which I moſt heartily congratulate you. Gentlemen, I am ſorry to ſay that there has increaſed, in the courſe of laſt year, a ſpirit of inſubordination and diſaffection, which I am compelled to admit has been far too ſucceſsful in many parts of England, to entice our people to fly not only from their duty to their earthly rulers, but almoſt to riſe up in defiance of their God. I am pleaſed to be able to ſay that nothing of this kind has appeared in this Dioceſe—at leaſt nothing has ariſen which could at all approximate to that deſperate ſtate of things which we have had the melancholy taſk of witneſſing in other parts. It is, Gentlemen, with proud ſatisfaction that

I heartily congratulate you upon it. May it pleaſe God that theſe two truly Britiſh counties may ever preſerve the true Britiſh character, and be prevented from falling into that diſgrace which has almoſt made our countrymen in other parts of England forget that they are ſo. Gentlemen, we muſt recollect, however, that whatever cauſe we have for congratulation in this particular, we can have little ground to hope that this occaſion of congratulation will be continued to us if we do not uſe the proper and judicious means of forwarding theſe ſentiments with the people; and I rejoice to find that this Committee have not confined their buſineſs merely to the circulation of religious tracts—that it has not confined its care merely to religious knowledge, but that it has promoted the general knowledge of the people alſo. I rejoice to find that *lending libraries* have been eſtabliſhed in no leſs than ſeventy places in this county. I rejoice that while they have been largely ſupplied with religious works they have, by means of this Society, alſo been able to obtain a due portion of temporal knowledge. I venture to expreſs the importance of extending theſe libraries to diſtricts into which they have not yet been introduced. Gentlemen, there is one other remark which I will ſtill take the liberty of making with reference to the Report of the 'Society for the Promotion of Chriſtian Knowledge,'—it tells us that it extends itſelf not merely through every part of England and Wales, but throughout every portion of Great Britain. Gentlemen, it has been my delight very recently to witneſs its operation in one of the remote parts of this dioceſe—a part which I mean to ſay is hardly recognized as belonging to England—and it is only in this way that I can reconcile it, that a cluſter of iſlands in ſight of the Britiſh ſhore, but which is alſo the immediate property of the Britiſh Government, as every inch of land is held from it, yet theſe iſlands have been left almoſt entirely to this Society, for the ſupport of Chriſtianity among their people. I am bound to ſtate that, with one exception, I mean the iſland of S. Mary,

the largeſt and moſt populous—this is the caſe. In that iſland there is a miniſter—paid by his Grace the Duke of Leeds, who is leſſee of the property under the crown. But he is the only one. In the five others, containing more ſouls but leſs means, not the ſmalleſt means of religious inſtruction is afforded by Government—but they have been freely afforded by this Society, which has been powerfully inſtrumental in the ſpread of true religion. Gentlemen, before I conclude upon this ſubject, I ſhould deprive myſelf of a very pleaſant duty if I did not bear the moſt faithful teſtimony to the readineſs of the noble Earl at the head of his Majeſty's Government to remedy this evil. As principal of this dioceſe, I took the liberty of informing him of the ſtate of the Scilly Iſlands; and he moſt readily and promptly returned me an anſwer of his willingneſs and deſire to know what was beſt to be done in order to remedy this evil. Having thus treſpaſſed on your patience with reference to this Society, I would refrain from ſaying anything with reference to the other Society (for Propagating the Goſpel in Foreign Parts), did not ſome circumſtances imperatively call for a few remarks. Gentlemen, it has pleaſed his Majeſty's Government in aid of that Society to iſſue a King's Letter empowering contributions to be made in every pariſh in the United Kingdom, and its cauſe to be advocated by every clergyman. I am quite ſure, from what I know of my clergy, that they will in all caſes exert themſelves to the utmoſt; and I venture to hope that the zeal which they have invariably ſhown will have its due effect upon their flocks. Gentlemen, it will be obvious to you that this letter is of the utmoſt importance, and has become abſolutely neceſſary, after what you have heard of the wants of this Society, which has ſtripped itſelf bare of its funded property, in order that there ſhall be no diminution of its uſefulneſs. Gentlemen, will you ſuffer its ſtreams to be dried up and its ſource to be exhauſted?—it is impoſſible. Let but the loſs be known, and Britain, I am ſure, will make it up.

Gentlemen, on this ſubject I am bound to ſay ſomething more about the Government of the country. It is true that this Government has ſhown its zeal by iſſuing this letter to the clergy; and I wiſh that this was all I had to allude to in reſpect to Government; but I lament to ſay that, while with one hand his Majeſty has been adviſed to iſſue this letter,—on the other hand, if rumour does not deceive me, a rumour which I aſſure you I would not lightly allude to—but a rumour has reached me from authority, too ſacred to doubt, that it is the intention of Government for the Houſe of Commons to move for a very conſiderable reduction of the annual grant which, up to this year, it has been in the habit of giving this Society. It may not be known to you, but this is the fact, that religious inſtruction in Canada is chiefly given in this way:—when a diſtrict is clear and a church is built, the Society is ready to give 200*l.* a-year for a clergyman to ſettle there, and Government, as I conceive with only a juſt ſenſe of what is due, has been hitherto in the habit of granting the ſum, I think, of 15,000*l.* a-year in aid of this great object. I grieve to ſay that in theſe days of economy, the Government of this country—with a revenue of between fifty and ſixty millions a-year—can think it too much to contribute that unimportant ſum to the religious inſtruction of one of the moſt important colonies of the empire. Gentlemen, I do not ſtand here ſimply to ſtate the fact; when I could uphold Government, I did it with conſcientiouſneſs and ſincerity. What can be the right terms to apply to this conduct of Government, I will not ſay. But let us ſay with reſpect to Government, that it is by no means blind to its important duties. No! but it is ſo urged on every ſide to the neceſſity of economy that it is continually looking out for every means of reduction. Gentlemen, I cannot doubt but that Government would, in this particular, be glad if there were an expreſſion of public feeling to keep the pruning knife from it. I think we ſhould hear no more of this contemplated reduction, if a

conſiderable number of petitions were to be poured into the Houſe, ſo that Government might have their hands ſtrengthened upon this ſubject. Gentlemen, there is one more point:—the main exertions of this Society, large and moſt ſucceſsful as they have been, bring with them a neceſſity for increaſed funds, and call for the increaſed exertions of thoſe Engliſhmen who are not indifferent to the wants of their countrymen, whom neceſſity has deprived of a home and driven to ſeek for a place leſs ſacred to their feelings than that which they have left. Surely, Gentlemen, it is right, for the ſake of our own expatriated countrymen, and for thoſe millions of our fellow ſubjects elſewhere, that we ſhould be eager to procure them thoſe bleſſings which the Goſpel only can yield."

CHAPTER XX.

The Biſhop goes to London. Lord King's Motion on the Preſcription Bill (Tithes). His Attack upon the Bench of Biſhops. Followed by the Lord Chancellor. Excited State of the Country on the Subject of Reform. Menacing Language towards the Houſe of Lords. The Reform Bill thrown out by the Lords. Outrages in the Provinces. Brutal Attack on the Marquis of Londonderry. Inflammatory Articles in the Public Prints. The Biſhops the ſpecial Objects of Attack. Extract from the Times. *Dauntleſs Conduct of the Biſhop of Exeter. His Reply to Lord King's Attack. Earl Grey's inſulting Rejoinder. The Biſhop's Reply. Concluſion of the Diſcuſſion. The Biſhop of Durham burnt in Effigy. The Biſhop of London threatened. The Pariſh of Clerkenwell. Excited State of Exeter. Popular Agitators. Anticipated Riot. The Yeomanry Cavalry called out. Addreſs of the Exeter Clerical Club preſented to the Biſhop.*

SHORTLY after this meeting the Biſhop proceeded to London, where he appeared prominently for the firſt time in a Parliamentary Debate. On the occaſion of two petitions being preſented by Lord King (October the 11th), on the ſubject of the Preſcription Bill (Tithes), the noble lord made ſome very ſevere and unjuſtifiable remarks in reference to the conduct of the clergy, charging them with being "arch-diſturbers when their own intereſts were concerned, although under other circumſtances they were adverſe to all

change." Lord Suffield thought it not beneath him to adopt the ſame line, and roundly aſſerted that the bench of biſhops were ready to ſupport the Government of the country ſo long as it was arbitrary and oppreſſive, but that as ſoon as a liberal Government produced a meaſure for the benefit of the people at large, and for the extenſion and ſecurity of the liberties of the country, the bench deſerted that adminiſtration, and threw all its power into the ſcale againſt it. Deplorable as this language is, it is ſtill more painful to find the Lord Chancellor ſo far forgetting what was due to his high office, and the auguſt aſſembly he was addreſſing, as to taunt thoſe biſhops who had recently voted againſt the Reform Bill, with the deſire of "tripping the Government up." It may be difficult at the preſent day to eſtimate correctly the effect of ſuch language, coming from ſuch a quarter: but in thoſe days it was no light matter. It muſt be borne in mind that Reform was the all-abſorbing topic of the day. The bill, having paſſed the Commons on the 21ſt of September, was carried up, next day, to the Lords, by Lord John Ruſſell, attended by about a hundred of its ſtaunch ſupporters in the Lower Houſe. It was read a firſt time, on the motion of Earl Grey, without any remark being made, and was directed to be read a ſecond time on the 3rd of October. Meanwhile, meaſures were vigorouſly employed to intimidate the Peers into ſubmiſſion. Political unions, the preſs, and public agitators, rivalled one another in the loudneſs of their menaces.

"Let the Lords," ſaid Colonel Torrens, "refuſe this bill, *if they dare.* And if they do, dearly will they rue their obſtinacy hereafter. You all remember the Sibyl's ſtory. She preſented her oracles to Tarquin and his court, and her oracles were rejected. She burned a portion, and again offered them; but they were again rejected. After diminiſhing their number ſtill further, ſhe once more returned; and the remaining volumes were gladly purchaſed at the price which ſhe had originally demanded for the entire. We, however, mean to reverſe the moral; for ſhould the preſent bill be defeated, we ſhall bring their Lordſhips another bill, demanding a little more, and then, *ſhould they ſtill dare to reſiſt the might and inſult the majeſty of the people of England*, which Heaven forefend! united as one man will we come forward with a Bill of Reform, in which their Lordſhips will find themſelves inſerted in Schedule A."

And theſe ſentiments were received with favour! They were only too faithful an echo of the public voice. It was amid excitement, then, which can ſcarcely find a parallel in modern days, that Earl Grey, on Monday the 3rd of October, moved the ſecond reading of the bill. The debate continued for five nights, and at a quarter paſt ſix on the morning of the 8th of October the bill was thrown out by a majority of forty-one.

And now the ſupporters of the meaſure were excited almoſt to frenzy, and it ſeemed likely that they would carry their worſt denunciations into effect. In more than one inſtance the mob endeavoured to wreak their vengeance on perſons whoſe ſentiments were oppoſed to reform. At Derby the front of the mayor's houſe was demoliſhed, ſeveral other houſes were attacked by the

mob, and the town-clerk received ſuch ſevere injuries that it was for ſome time doubtful whether he would ſurvive them. The town gaol was broken open, and all the priſoners liberated. The county priſon was alſo attacked, and a ſevere conflict enſued between the conſtabulary and the mob. The ſoldiers were ultimately called out, and the riot was not ſuppreſſed until ſeveral lives had been loſt. At Nottingham, among other lamentable exceſſes, the caſtle of the Duke of Newcaſtle was entirely deſtroyed by fire; while at Haſtings placards of "Death or Liberty!" covered the walls.

As an evidence of the difficulties with which public men, who were obnoxious to the mob, were ſurrounded in the diſcharge of their duty, it may be enough to mention that the Marquis of Londonderry was aſſailed on the 10th of October (the day preceding the preſentation of Lord King's petition) by a furious mob as he was going down to and returning from the Houſe. They ſeized his cabriolet, endeavoured to drag him out of it, and one powerful ruffian ſtruck him a violent blow with a ſtick. If the mob had ſucceeded in pulling him out of his cabriolet, there can be little doubt but that they would have murdered him. Fortunately, however, the horſe ſprang forward violently, and he eſcaped from the crowd. Such was the treatment which public men might expect who did not pander to the mob; and well for them if it was no worſe.

But fierce as was the rabble, the preſs was fiercer; and it would be hard to find language to characterize

the inflammatory articles which appeared even in prints which laid ſome claim to moderation. The biſhops were the favourite objects of attack. Two only of their number had voted in favour of the Reform Bill, viz. the Biſhops of Chicheſter and Norwich, while of the reſt twelve, including the Biſhop of Exeter, were in their places, and gave their vote as "not-content," and nine voted againſt the meaſure by proxy. Nothing was ſpared to bring them and their office into contempt. All that falſehood, barbed by party ſpite, could do againſt them was done with an unſparing hand. The flood-gates of licentiouſneſs were opened, and for a time it was doubtful whether the moſt venerable inſtitutions of religion would not be ſwept away.

The following extract from the *Times* may ſerve to illuſtrate the language of intimidation which was ſo largely reſorted to at this period:—

"Should the Bench of Biſhops," it ſays, "be unhappily found averſe to the reform of our political inſtitutions; and, in the exerciſe of that hoſtility, ſhould they blight the hopes of their countrymen, by adding to the votes againſt the bill juſt ſo many as may be ſufficient to ſecure the defeat of it, while, had the meaſure been left to take its chance among the peers who are laymen, it would have paſſed into a law; ſhould, we ſay, ſo terrible a diſaſter happen, what will be the poſition of the Church and of the prelacy?—what the feelings of the whole Britiſh Empire towards them? Oh! let the biſhops be wiſe in time, and not realize, againſt our venerable Church, the only poſſible anſwer to that inauſpicious queſtion. The Socinian, the Papiſt, the Jew, are all in port, all exulting in their own increaſed ſecurity; but the Reformed Church of England will, by the unſkilfulneſs or

obſtinacy of her proper pilots, have been driven from her moorings in the hearts of the people, and expoſed to a hurricane the like of which was never blown. 'It is the biſhops,' will an exaſperated nation cry—'*it is the biſhops who have cruſhed our liberties, and deſtroyed us.* But for *them* we ſhould have had a free Parliament, a reſponſible Government, and the downfall of an oppreſſive oligarchy. Our character is loſt, and it is to the *anti-national ſpirit of the Church* we owe this grievous diſappointment. HOW SHALL WE FORGIVE THE CLERGY?'"

Such was the menacing language held even before the Reform Bill was thrown out by the Lords; and it may well be ſuppoſed that the poſition of the biſhops was not mended afterwards. But there were ſpirits among them which neither the lawleſſneſs of the mob, the ribaldry of the preſs, nor the coarſe invective of their brother peers could quell, and foremoſt among them ſtood the newly-created Biſhop of Exeter. When the Biſhops of London and Llandaff had indignantly hurled back the ſlanderous accuſations which had been brought againſt them, the Biſhop of Exeter roſe, and delivered a few ſhort but impreſſive ſentences.

"He was wholly aſtoniſhed," he ſaid, "at the remarks which had been made on the motives of the reverend Bench from the higheſt quarters. Noble lords aſſumed the right to cenſure the body of biſhops for the vote they had recently given. This cenſure came from thoſe too, who, from their office and ſtation, were bound to ſuſtain the inſtitutions of the country. He defied any noble lord to ſtate a ſingle inſtance in the hiſtory of the country when any members of that Houſe had been ſo vilified and inſulted as the biſhops had been within the laſt week, by a perſon of the higheſt ſtation in the realm. They had been accuſed of voting

againſt the Reform Bill becauſe it was the meaſure of a Liberal Adminiſtration. Was this charge an inſtance of liberality? and did the members of his Majeſty's Government by theſe remarks intend to incite and encourage violence? He did not apologize for his warmth; for he ſhould be aſhamed of himſelf if he could be cool upon ſuch a ſubject. Had the attack upon the Bench of Biſhops been made at a moment of excitement, to that excitement he would have ſubmitted; but, upon the mere preſentation of a petition, and that a petition of no conſequence, one noble lord had abuſed the Church as the great arch-diſturber of all order; and another noble lord had charged the biſhops with being bound together in a conſpiracy againſt the liberties of the country, and againſt all that could conſtitute the welfare and happineſs of the people. Theſe were the notions that were propagated everywhere againſt the Bench of Biſhops; and noble lords had, moreover, ſpoken againſt them in that Houſe in a tone of ſarcaſm, if not of direct and poſitive cenſure, as a body actuated by ſelf-intereſt at variance with the public good. Under theſe circumſtances he had thought it his duty to addreſs their lordſhips."

The biſhop's manly eloquence had done its work; and Earl Grey, who immediately roſe, could ſo ill diſguiſe his feelings of irritation as to charge him with having "uttered the moſt intemperate and unfounded inſinuation that he had ever heard from any member of that Houſe." It may be hard to juſtify ſuch language as this; but the occaſion demanded that ſo zealous a champion of the Epiſcopal Bench as the Biſhop of Exeter promiſed to be ſhould be cruſhed at once; and ſo, throwing all the indignation he could into his language—and that was not a little—the noble earl proteſted that the biſhop was not merely contented

with *want of truth* in what he had ſaid, "but had uttered it with all the appearance of a ſpirit that but little became the garment he wore. It was the groſſeſt injuſtice he had ever heard." The noble lord concluded a ſpeech, which does his temper little credit, by calling on the biſhop to produce the proofs of what he had aſſerted.

The Biſhop of Exeter being thus appealed to, roſe and ſaid, that—

"He was not unwilling to admit, that, although he had charged the excitement which exiſted againſt the Bench of Biſhops throughout the country to the language which had been held in that Houſe, he had not meant to bring any charge againſt the noble earl. He would now, however, proceed to prove the truth of what he had aſſerted. Irregular as it might be to refer to the debate that had recently taken place, yet, under the peculiar circumſtances of his caſe, he hoped for the indulgence of their lordſhips in being allowed to refer to the proceedings in queſtion. It muſt be within the recollection of every noble lord who heard him that in the firſt night of the debate upon the bill, the noble earl in ſtating the caſe to the Houſe without any one thing to excite him from the Bench of Biſhops had thought himſelf juſtified in calling upon the Bench ſeriouſly to take to mind what would be their condition in the country if there were to be found a narrow majority of lay lords againſt the bill, and if it were to be diſcovered that the biſhops had voted with that narrow majority. The noble earl had put this in a way to ſhow that he expected that the Bench would be induced by the fear of odium to vote with miniſters. To call upon any one ſet of men—to call upon one of the great ſtates of the realm as they were termed by the ſages of the law, and by the law itſelf—to call upon them by way of a menace of popular indignation had the tendency—a tendency which the noble earl

perhaps little ſuſpected—of exciting the odium of the people. Had not that odium been excited, and was not the Bench of Biſhops expoſed to its effects? The noble earl had aſſumed the character of a prophet, and had told the biſhops 'to ſet their houſes in order.' It was true that the noble earl did not conclude the ſentence. He left that for themſelves to do, but it was impoſſible not to know that he referred to where the prophet had threatened deſtruction. The noble earl in the ſame ſpeech had taken ſpecial care to remind the Bench of Biſhops that certain important queſtions were in agitation which might take the turn that would prove favourable or unfavourable, according to the conduct of the Bench on that night. What were theſe queſtions? Where were they in agitation, but in the councils of which the noble lord was at the head—he hoped ſo at leaſt, for he hoped the noble earl did not delegate his ſuperiority to inferior minds. If the noble lord meant that ſchemes of confiſcation were contemplated—if the noble earl meant that the bold among the multitude would be encouraged, and that the multitude would be goaded on to more immediate execution—then he (the Biſhop of Exeter) could indeed conceive that the conduct of the biſhops that night might have the effect of driving the multitude to ſuch purpoſes. Had he ſaid anything but what the proofs he had adduced fully ſubſtantiated? The language of the noble earl had a tendency to implicate the prelates with the people, and to make them be regarded by the people throughout all the country as their foes. The people already pretty well echoed the noble Earl's ſuggeſtions, for they read the debates, and the ſame language was repeated by the journals. The biſhops were threatened to be driven from their ſtations becauſe they did not vote for miniſters—becauſe for once they had thus voted upon the greateſt queſtion agitated ſince the Revolution when the biſhops had acted in defiance of the Crown. Where would their Lordſhips have been but for the biſhops at the Revolution? The preſent was the firſt occaſion upon which the

Bench of Biſhops had oppoſed the preſent miniſters, and yet for oppoſing them this once they were charged with deſerving all the miſchief with which they had been threatened."

Earl Grey then aſked the biſhop why he had not made the ſerious charges he now brought forward, when the words he imputed to him were freſh in the recollection of the Houſe, and when he could have made thoſe charges in a regular manner. For his part he thought that the biſhop's proofs correſponded very little with his aſſertions. He had charged his Majeſty's miniſters with having purpoſely done all in their power to encourage tumult and excite the mob to acts of popular violence.

Upon this the Biſhop of Exeter ſaid:—

"Moſt ſolemnly do I declare that I do not think I have uſed any ſuch words. Upon my honour and conſcience I did not uſe thoſe words. I am quite ſure that I never accuſed his Majeſty's Government of exciting the people to outrage."

After ſome further remarks by Earl Grey, and a vindication of the conduct of the Bench of Biſhops by the Duke of Wellington, the ſubject dropped.

It may well be ſuppoſed that when peers of the realm could be found ready to aſcribe the moſt ſordid and unworthy motives to the rulers of the Church, the multitude would not be ſlow to imitate their example. Henceforward biſhops were to contend, as beſt they might, againſt peers, public, and preſs, an unholy Triad!

The fruits of this alliance were ſoon matured. The Biſhop of Durham was burnt in effigy before

his own palace; and the Biſhop of London, who was advertiſed to preach at S. Anne's, Weſtminſter, was warned by the pariſhioners that the whole congregation would quit the church at the moment of his aſcending the pulpit. The *Times* truly enough ſaid of this,—

"Such a proof of public antipathy towards the entire 'order,' whoſe conduct in the Houſe of Lords was ſo conſpicuous on the ſecond reading of the Reform Bill is *without an example in modern hiſtory*, and is worth a whole library of comments."

In the important pariſh of Clerkenwell alſo the following requiſition was tranſmitted to the churchwardens:—

"*Wells without water.* We, the underſigned, inhabitants of the pariſh of Clerkenwell, moſt reſpectfully requeſt the churchwardens, that, in conſequence of the irreligious conduct of the biſhops in reſpect to the Reform Bill, they (the biſhops) ſhall not be again ſolicited to preach in the churches of this pariſh."

Ridiculous as this memorial ſounds at the preſent day, it was copied into provincial journals and received with great applauſe.

But nowhere did the noxious fruit come to maturity earlier than in the Dioceſe of Exeter. The plant had ſtruck its roots in a congenial ſoil. The people of the Weſt, among whom Cromwell, William of Orange, and Weſley had found their ſtouteſt adherents, were eaſily brought to believe that biſhops were enemies of progreſs, and the champions of a narrow faction, which deſired to repreſs their energies and curtail their liberty. Never, ſo their agitators

told them, would the country breathe freely till every mitred head had been brought low, and the ſooner churches were pulled down, and the parſons ſet to mend the roads with the ſtones, the ſooner would England be great and free. More of the ſame ſort was ſaid, and much of it was unhappily believed. And ſo, before the Biſhop of Exeter returned to his cathedral city, a ſtrong party had been formed againſt him, and at a large reform meeting three groans were called for and given with every indication of bitterneſs at the mention of his lordſhip's name. And what made things worſe was that people whoſe poſition and education ſhould have taught them better were not aſhamed to mingle their voices with the ſhouts of the rabble. It was thought that the biſhop would have been burnt in effigy. No ſuch ſcandal, however, took place for the preſent; but as the annual Saturnalia of the 5th of November came round, it was feared that the mob would indulge in more than its wonted exceſſes, and that a riot would take place. So active were the leaders, and ſo ſerious was the danger conſidered, that the mayor proceeded to ſwear in a large number of ſpecial conſtables, and Lord Ebrington attended as the Vice-Lieutenant, to command the yeomanry cavalry, who were haſtily called out, and who were kept under arms the greater part of the night. This force, however, was with commendable prudence kept in reſerve, but the knowledge that it was cloſe at hand exerciſed a moſt ſalutary effect, for no ſerious demonſtration was attempted.

But while "the great 'liberal' party," as it was ſtyled, were thus diſporting themſelves at the expenſe of their biſhop, whoſe only offence was that he had dared to give an independent vote, and had aſſiſted the Houſe of Peers in maintaining its rights as an independent part of the conſtitution, the clergy were not ſlow to recognize his ſervices. At the monthly meeting of the Exeter Clerical Club, October 25th, it was unanimouſly reſolved that a vote of thanks ſhould be offered to the biſhop of the dioceſe for the eloquent and manly part which he had taken in the debate in the Houſe of Lords on the 11th of October. *Laudatur ab his, culpatur ab illis;* and no doubt the biſhop knew whoſe approval was worth the moſt.

CHAPTER XXI.

The Return of the Biſhop to Exeter. Anniverſary of the Devon and Exeter Central Schools. Service at the Cathedral, and Sermon by the Biſhop. Meeting at the Guildhall. The Biſhop's Speech. His Firſt Ordination. Neglect of Ember Seaſons. Attention to the Affairs of his Dioceſe. Preſentation of his Eldeſt Son to a Living. Diſpute with the Pariſhioners of Stoke Damerel, Devonport, about a Burial-ground. Dr. Luſhington conſulted. A Veſtry Meeting of the Pariſhioners. Libellous Reſolutions paſſed. The Biſhop applies to Court of King's Bench. A Rule obtained to ſhow Cauſe why a Criminal Information ſhould not be filed againſt the Chairman. Arguments of Counſel againſt the Rule. It is made abſolute.

A WEEK before the prorogation of Parliament, which took place on the 20th of October, the biſhop returned to Exeter, and on the following Thurſday was preſent at the Anniverſary of the Devon and Exeter Central Schools. The children educated at theſe ſchools, headed by the mayor and civic authorities, and accompanied by many of the clergy, walked in proceſſion to the cathedral, where Divine Service was performed and a moſt eloquent and impreſſive ſermon preached by the biſhop, his text being taken from 1 Pet. iv. 10, "As every man hath received the gift,

even ſo miniſter the ſame one to another, as good ſtewards of the manifold grace of God." At the concluſion of the ſervice a collection was made at the door, amounting to 61*l.* 18*ſ.* 8*d.*, a larger amount than had been collected for many years before, but a pitiful ſum enough as compared with what the ſame claſs of people will ſpend on a more congenial concert, or archery meeting. It furniſhed ground for congratulation, however, and as everybody was pleaſed it would be out of place to do more than record the fact. In the courſe of the day a meeting was held in the Guildhall, the biſhop in the chair. After the report had been read and the uſual reſolutions propoſed and agreed to, Sir T. D. Acland roſe, and propoſed a vote of thanks to the biſhop for the excellent diſcourſe with which he had favoured them that morning, conveying, in the moſt complimentary terms, a deſire that his lordſhip would ſtep beyond the direct terms of the motion, and cauſe it to be printed.

Dr. MacGowan ſeconded the motion, which, having been put by the mayor, was carried with three hearty rounds of applauſe. The biſhop then roſe, and, as ſoon as he could obtain a hearing, ſaid:—

"Mr. Mayor, I aſſure you I ſhould moſt conſult my own inclination if I were ſimply to return thanks to you, and this moſt reſpectable meeting, for the high honour you have done me. But I feel it would be moſt widely departing from the ſingular example of kindneſs which has been ſhown me this day if I were to do ſo. I may be permitted to ſay, without affectation, that my efforts are unworthy of the acknowledgement you have made—utterly unworthy, when com-

pared with the ſilent, unpretending, and uſeful exertions which are made every day by thoſe who have diſcharged the duties of ſuſtaining theſe ſchools by the good effects of their control and ſuperviſion. Gentlemen, it is an eaſy matter for a man to ſit down in his ſtudy, and put on paper thoſe ſentiments which every one muſt feel in the performance of a great Chriſtian duty: to one whoſe diſpoſition through life has been to be employed in ſuch matters, it requires little effort to write upon ſuch a ſubject as this. But I will go further. I will ſay that it is conferring upon him the higheſt pleaſure to be called upon to advocate the cauſe of an inſtitution like this. But, Gentlemen, I had my ſhare of ſatisfaction in knowing that, whilſt I was advocating the cauſe, I had a far more powerful advocate in the hearts of thoſe who heard me. I know that in this place every hand will always be open to ſuſtain ſo good a cauſe. Little ground, therefore, have I to claim thanks for the ſmall ſervices which I have rendered; but you, Gentlemen, have largely to claim my gratitude, for the very honourable mode in which you have been pleaſed to expreſs yourſelves of my ſervices."

In ſeconding the vote of thanks propoſed by Archdeacon Moore to the mayor and chamber for the uſe of the Guildhall, and their patronage of the Society, the Biſhop ſaid:—

"I have great pleaſure in ſeconding the motion. I muſt be permitted to ſay, that no one feels more ſtrongly than I do the important benefit of the co-operation of that diſtinguiſhed body. And I really believe—I ſay it not in flattery—that in no city or town in England can it be ſaid with more truth—I wiſh it could be ſaid with as much truth in all—that the civic authorities are anxious on all occaſions to record their teſtimony, and give their authority to the ſupport of the Goſpel, which they are well aware is their own beſt ſupport."

After a vote of thanks to his lordſhip for his excellent conduct in the chair, the meeting ſeparated, much delighted at the courteſy of the biſhop, and the ſucceſs of the day's proceedings.

On the following Sunday (October the 23rd) the biſhop held his firſt Ordination in the Cathedral Church of S. Peter at Exeter. Upon this occaſion there were fifteen deacons and ſixteen prieſts ordained, among the latter the biſhop's eldeſt ſon. It is to be regretted that the primary Ordination of ſo eminent a prelate ſhould be aſſociated with an irregularity—the neglect of the Ember Seaſon. But, whatever may have been his earlier practice, no biſhop is now more careful to obſerve the ſeaſons appointed by the Church for the ſolemn purpoſe of chooſing and ſending labourers into the Lord's vineyard.

During the whole of the next month, November, the biſhop devoted himſelf with great aſſiduity to the duties of his dioceſe, receiving viſits from his clergy, and preaching in the churches of the city and neighbourhood. On the 4th of this month he preſented his eldeſt ſon, the Rev. William John Phillpotts,* to the vicarage of Lelant Uny with Towednack, Cornwall, twelve days after his ordination.

About this time the biſhop became involved in a diſpute with the pariſhioners of Stoke Damerel, the

* This gentleman is now Chancellor of the Dioceſe of Exeter, Archdeacon of Cornwall, Prebendary of the Cathedral, and Vicar of S. Gluvias with Budock, Cornwall. The date of his appointments will be given as they occur.

mother church of Devonport. It appears that, in the year 1811, the churchyard of the pariſh being found too ſmall to meet the mortality of the place, Sir John St. Aubyn, the lord of the manor, conſented to give a piece of ground for the purpoſe of adding to the churchyard, in furtherance of which he conveyed the ground in queſtion to the pariſhioners for 5,000 years. Thus matters ſtood till the autumn of the year 1831, when it was found neceſſary ſtill further to enlarge the burial-ground; and application was made to the lord of the manor, who again conſented to meet the wiſhes of the pariſhioners. But, on inquiry, the deed of 1811, which conveyed the ground to the pariſhioners, could not be found. It was either loſt or deſtroyed, and, after deliberation, it was thought to be the ſafer courſe to obtain a renewal of the old deed. It was neceſſary that the dioceſan ſhould be a party to the conveyance, under an Act of Parliament of 43rd George III, and application was made to him for his conſent. The biſhop replied that he had no intereſt in the matter, and would act in it as he might be adviſed to act by Dr. Luſhington, upon a caſe to be ſubmitted to that learned civilian. A caſe was accordingly laid before Dr. Luſhington, without whoſe advice the biſhop would not depart from the ordinary rule. That learned gentleman was of opinion that the tranſaction would not be legal, unleſs the ground were conveyed to the *incumbent*, and his ſucceſſors, inſtead of the *pariſhioners*. A ſecond caſe, however, was laid before Dr. Luſhington, in which the biſhop, after

ſetting out facts, ſtated that he did not inquire whether he had the power to give or withhold his ſanction from the proceedings, but that he wiſhed to aſk whether, under all the circumſtances, Dr. Luſhington would adviſe him to interfere one way or the other. The anſwer was ſuch that the biſhop deemed it right to decline any interference. On this being made known to the pariſhioners, a caſe was directed by them to be laid before Dr. Luſhington, who, on peruſal of it, gave his opinion that, though in ſtrict law the conveyance ought to be to the *incumbent*, yet, as the original deed, which had received the ſanction of a former biſhop, had conveyed the ground to the *pariſhioners*, and as, on the faith of that deed, burials had taken place there for a number of years, the equity of the caſe required that the new deed ſhould be drawn up in conformity with the purport of that which was loſt. The gentleman who acted on behalf of the pariſhioners preſented this opinion for the Biſhop's peruſal; but he declined to pay any attention to it. "I will not look," he very properly ſaid, "at an opinion given on a ſtatement of facts not previouſly ſubmitted to me for conſideration." He added that, if the pariſhioners had any new facts to lay before him, he would conſider them, and act accordingly. He alſo declared his entire willingneſs to abide by the advice of Dr. Luſhington. Upon this the inhabitants of Stoke Damerel held a meeting in veſtry, when reſolutions were paſſed highly derogatory to the biſhop, and ſuch as made him feel that he was called upon to apply to the Court of

King's Bench to vindicate his character. The veſtry meeting took place on the 19th of October, and the following reſolutions were agreed to, Mr. Clouter being in the chair:—

"Reſolved,—That the meeting cannot but regret, from the ſtatement made by Mr. Rodd, that the Biſhop of Exeter ſhould ſo far have forgotten himſelf as to deny to the pariſhioners that juſtice which they have a right to demand at his hands—viz. his ſanction to the deed of conveyance. The pariſhioners cannot reprobate ſuch conduct in language too ſtrong.

"Reſolved,—That the utmoſt cenſure be conveyed to the Biſhop for ſuch his diſhonourable and degrading conduct."

Theſe reſolutions were ſigned by the Churchwarden, as chairman of the meeting; and it was ordered that they ſhould be entered on the pariſh books, and be printed and publiſhed in the *Devonport Telegraph*, and in a Plymouth journal.

Application on behalf of the biſhop was made to the Court of King's Bench, at ſittings in Banco, on Friday, Nov. 25, by the Attorney-general, when a rule to ſhow cauſe why a criminal information ſhould not be filed againſt John Clouter was granted.

On Monday, January 30, in the following year, Mr. Campbell appeared to ſhow cauſe againſt the rule. He contended that the defendant could not be held liable, as from the nature of the ſituation in which he was placed he was prevented from interfering in the buſineſs of the meeting. On the contrary, he was oppoſed to the reſolutions, and had refuſed to ſign them. The learned gentleman then went at great

length into the circumſtances which had led to the meeting, at which the reſolutions had been adopted, with a view to ſhow that great excitement prevailed in the diſtrict from the refuſal of the biſhop to conſecrate the burial-ground. The Attorney-general and Sir James Scarlett ſupported the rule, and ſtated that the biſhop had refuſed to conſecrate the ground under the opinion of Dr. Luſhington. The Court were unanimouſly of opinion that nothing could juſtify the language complained of by the biſhop, and directed the rule to be made abſolute.

The proceedings of the biſhop in this caſe created much ill-feeling againſt him throughout the dioceſe. Conſidering the unpopularity of his appointment, it would no doubt have been wiſer to have taken no notice of Mr. Clouter or his reſolutions; but the biſhop may have thought it more prudent at once to cruſh the riſing evil, and awe his adverſaries into ſilence, if not into approval of his conduct, by the ſtrong arm of the law.

CHAPTER XXII.

The Reform Bill. Impatience of the Country. Second Reading of the Bill in the Commons. The Biſhop remains at Exeter. Freedom of the City preſented to him. End of the firſt Year of his Epiſcopate. Opening of the Year 1832. *The Reform Queſtion. Bill carried in the Commons. The Miniſterial Plan of Education for Ireland. Diſſatisfaction of the Roman Catholics. The Kildare Street Society. Agitation in Ireland. Seditious Addreſs of one of the Leaders. Infatuation of Engliſh Stateſmen. Real Object of the Agitators to exclude Religious Inſtruction from Schools. The Rhemiſh and Douay Verſions of the Scriptures. Feeling of the Authorities in Rome in reference to the Educational Syſtem in Ireland. Circular Letter from the Pope. Effect of it upon the People of Ireland. Neglect and Ignorance of the Scriptures in that Country. Infamous Treatment of them. Indignation of the Epiſcopal Bench at the Conduct of Government. Conduct of the Biſhop of Exeter. His Forebodings of the Miſchievous Conſequences of the Bill. His Speech in the Houſe of Lords. Effect of it. Lord Radnor's Remarks upon the Biſhop. Lord King refers again to the Pariſh of Woodbury. The Biſhop's Explanations.*

AND now it will be neceſſary to return once more to the ſubject of Reform. The Parliament, which had been prorogued on the 20th of October, 1831, aſſembled again on the 6th of December. This was a ſhort receſs. No longer interval, however, could be granted, for the clamour of political unions and the impatience of the lower orders made it plain to the miniſters that an impelling force had been ſet in motion which it

would be vain for them to hope to control or reſiſt. If they were to retain their office they muſt be content, for the preſent at leaſt, to be thruſt forward by the rabble. Accordingly, a new Reform Bill was introduced into the Commons immediately on the meeting of Parliament. A vigorous debate followed, which ended in the ſecond reading being carried, and then Parliament adjourned for the Chriſtmas holidays.

The biſhop did not go up to London to attend this ſhort ſeſſion, but continued in the active ſuperintendence of his dioceſe, the great adminiſtrative ability which he exhibited eliciting marks of warm admiration from all who had not made up their minds to be diſpleaſed with everything that he did. On the 15th of December the freedom of the city was conferred upon his lordſhip by a unanimous reſolution of the corporation; and on the 22nd of this month he preſented the Rev. Nicholas Lightfoot to the Rectory of Stockleigh Pomeroy, Devon, being the fourth piece of preferment which had fallen to his diſpoſal. Thus ended the firſt year of his Epiſcopate, without the occurrence of any further ſubject of note, unleſs it deſerve to be recorded that no churches or chapels were conſecrated during this period.

The following year was deſtined to be a very remarkable one. Parliament aſſembled on the 17th of January, after the receſs, and the reform queſtion was proceeded with at once. Long and weary were the debates which followed. It was an oft-told tale. All that could be ſaid had been ſaid over and over again,

and yet the ſpeakers were never weary. On the 9th of March the Committee had gone through the bill, having entered upon the examination of it on the 20th of January. The report was conſidered on the 14th of March, and on the 19th the motion for the third reading of the bill was met by an amendment, moved by Lord Mahon, that it ſhould be read a third time that day ſix months. The amendment was ſeconded by Sir John Malcolm, and was followed by a ſharp debate, which was continued on the 20th and 22nd. On a diviſion there was a majority of 116 for the third reading. This was deciſive, and on the 23rd of March the bill was paſſed. But while this meaſure was occupying the attention of the Commons, another queſtion, of ſcarcely leſs importance, was being debated in the Houſe of Lords—the miniſterial plan of education for Ireland, which was brought forward on March the 22nd.

An opinion had for ſome time been gaining ground that the exiſting ſyſtem of Scriptural education was ill adapted to the peculiarities of that country, and that the Parliamentary grant made in the year 1816, and continued from that time, had not produced the deſired effect. It does not appear, however, that any complaints were made until the year 1825, from which time, until 1831, the clamour rapidly increaſed, and the Government determined to aboliſh the Kildare Street Society (the object of which inſtitution was to encourage local exertions in the eſtabliſhment of ſchools), and ſuperſede the exiſting ſyſtem. In coming to this

concluſion, there can be little doubt but that they were yielding to the preſſure of demagogues who deſired a change from *ſome* religion to *none*. Reform was the order of the day, and education muſt be content to come in for its ſhare of it, even though in the proceſs it ſhould chance to be ſtripped of everything that made it Chriſtian. A plauſible pretext was ready at hand, and its favourers were not ſlow to make the moſt of it.

The Roman Catholics conſidered the unreſtricted reading of Holy Scripture to be repugnant to their form of religion; and the conſequence was that they refuſed to allow their children to go to thoſe ſchools where inſtruction in the Scriptures formed the baſis of education. To meet this difficulty it was ſuggeſted that two different ſyſtems ſhould be introduced, one for the children of Proteſtants, and the other for the children of Roman Catholics. This was objected to by the Roman Catholic prelates themſelves, who thought that the ſeparation of children was injudicious, and calculated to deſtroy ſome of the beſt principles of human nature.

Thus the dragon's teeth were ſown, nor was there long to wait for the crop. The Iriſh people were taught by popular ſpeech-mongers, whoſe ſtock-in-trade conſiſted of bitter hatred to England ſeaſoned with blaſphemy and ribaldry, that they had a grievance, and this "grievance" was oſtentatiouſly paraded before the world till it was ſo thread-bare that it ceaſed to be anything but a ſcarecrow. Seſſion after ſeſſion, however,

it continued to furniſh an unceaſing political capital to a ſet of noiſy demagogues, whoſe frothy orations paſſed for eloquence in Ireland, but moved all reaſonable Engliſhmen to laughter. One of the leaders of this faction, for ſuch it really was, upon being adviſed to follow moderate meaſures, had the effrontery to tell his adviſer that it was by violence alone that the Roman Catholics of Ireland had advanced their cauſe to its preſent proſperous ſtate; and this was true enough.

"Remember," he ſaid, "the conditions which were once required of us even by our preſent friends, and contraſt with them the terms which we can now command. Was it our peaceable demeanour, our decorous language, which placed us on this vantage ground? No! it was the boldneſs with which we aſſerted our claims, the unflinching, uncompromiſing tone of all our meaſures, that has enabled us thus to look back with triumph, and forward with confidence. If, indeed, anything could have been gained by following the courſe which you gentle counſellors recommend, we might have been ready to play the pliant part, and liſten to the men to *whom we now dictate.*"

This is plain ſpeaking—plain enough, it might have been thought, to have opened the eyes of Engliſh ſtateſmen to what was going on in Ireland. But they ſeem to have been ſtricken with a blindneſs ſo obſtinate that it ſeemed judicial. And ſo political agitators and Romiſh prieſts were allowed to play into one another's hands, and to unſettle the country on the queſtion of education, happy enough if in the general confuſion they themſelves could ſecure ſome ſubſtantial ſpoils.

What a ſection of the agitators *did* want to do—but

they had not courage to avow it plainly—was to exclude religious inſtruction altogether from ſchools. There was to be what was called "moral and literary inſtruction," (an unfledged Mancheſter and Salford ſcheme,) but nothing to teach the riſing generation of Ireland a word about the hopes and promiſes of a future ſtate, at all events according to the doctrine of the united Church of England and Ireland.

If there was to be a bible at all, it muſt not be the grand old tranſlation ſanctioned by law, and approved by the conſentient voice of a long line of ſcholars—a tranſlation which has extorted even from infidels an unwilling teſtimony to its ſublimity and beauty; but the Rhemiſh and Douay verſions—*per*verſions in ſome places they might better be called—which, apart from doctrinal differences, are as unlike the authorized verſion of the Holy Scriptures as they well can be, while ſetting up any claim to be the ſame book.

And here it will be inſtructive to conſider the feelings which actuated the higheſt authorities in Rome in reference to the educational ſyſtem in Ireland. They will be beſt explained by the following circular letter from the Pope to the Iriſh prelates on the ſubject of bible ſchools.

"Rome, Court of the Sacred Congregation for the Propagation of the Faith. Sept. 18, 1819.

"My Lord,—The prediction of our Lord Jeſus Chriſt, in the Parable of the Sower, that 'ſowed good ſeed in his field; but while people ſlept, his enemy came, and ſowed tares upon the wheat,' (Matt. xvi. 24,) is, to the very great injury indeed of the Catholic Faith, ſeen verified in theſe our days,

particularly in Ireland. For information has reached the ears of the Sacred Congregation that bible ſchools, ſupported by the funds of Catholics, have been eſtabliſhed in almoſt every part of Ireland, in which, under the pretence of charity, the inexperienced of both ſexes, but particularly peaſants and paupers, are allured by the blandiſhments, and even gifts of the maſters, and infected with the fatal poiſon of depraved doctrines.

"It is further ſtated that the directors of theſe ſchools are, generally ſpeaking, methodiſts, who introduce bibles, tranſlated into Engliſh by 'the Bible Society,' and abounding in errors; with the ſole view of ſeducing the youth; and entirely eradicating from their minds the truths of the orthodox Faith.

"Under theſe circumſtances, your Lordſhip already perceives with what ſolicitude and attention paſtors are bound to watch, and carefully protect their flock from the 'ſnares of wolves, who come in the clothing of ſheep.' If the paſtors ſleep, the enemy will quickly creep in by ſtealth, and ſow the tares; ſoon will the tares be ſeen growing among the wheat, and choke it.

"Every poſſible exertion muſt, therefore, be made to keep the youth away from theſe deſtructive ſchools; to warn parents againſt ſuffering their children, on any account whatever, to be led into error. But for the purpoſe of eſcaping the 'ſnares' of the adverſaries, no plan ſeems more appropriate than that of eſtabliſhing ſchools, wherein ſalutary inſtruction may be imparted to paupers, and illiterate country perſons.

"In the name, then, of the bowels of the mercy of our Lord Jeſus Chriſt, we exhort and beſeech your Lordſhip to guard your flock with diligence, and all due diſcretion, from thoſe who are in the habit of thruſting themſelves inſidiouſly into the fold of Chriſt, in order thereby to lead the unwary ſheep aſtray: and, mindful of the forewarning of Peter the Apoſtle, given in theſe words, 'There ſhall be alſo lying

maſters among you, who ſhall bring in ſects of perdition' (2 Pet. ii. 8), do you labour, with all your might, to keep the orthodox youth from being corrupted by them—an object which will, I hope, be eaſily effected by the eſtabliſhment of Catholic ſchools throughout your dioceſe. And, confidently truſting that, in a matter of ſuch vaſt importance, your Lordſhip will, with unbounded zeal, endeavour to prevent the wheat from being choked by the tares, I pray the all-good and Omnipotent God to guard and preſerve you ſafe many years.

"Your Lordſhip's

"Moſt obedient humble Servant,

"F. CARDINAL FONTANA, Prefect.

"C. M. PEDICINI, Secretary."

This document is pretty forcible, it muſt be admitted, even for a papal reſcript, and its effect upon the people of Ireland may eaſily be imagined. Trained to regard the voice of the Pope as an infallible oracle, it was not likely that the authorized verſion of the Holy Scriptures would henceforward be received by them with much veneration or favour.

"That the Scriptures ſhould be neglected," ſays Dr. Phillpotts, in his Letter to Mr. Canning, "and, in many inſtances, utterly unknown, is only a matter of courſe. Mr. Donelan, *a Roman Catholic gentleman, nephew of Lord Fingal*, one of the inſpectors of the Kildare Place Schools, ſtates in his evidence (p. 488) before the Commiſſioners of Education, 'that the peaſantry could ſcarcely diſtinguiſh between a Teſtament and any other book of the ſame ſize on a religious ſubject; that, in Connaught, *the peaſant does not know what a Bible or Teſtament is*. I think,' he adds, 'we may ſay, *in general*, they do not underſtand that the Bible contains the Word of God, the hiſtory of our Saviour, the hiſtory of the creation, and the redemption of the world.' Another wit-

neſs (Captain George Pringle, p. 686) informs the Commiſſioners, that he 'had met with a great many who never ſaw or heard of the Scriptures; ſome did not know what he was ſpeaking about, when ſpeaking of the Bible. At laſt they cried, "Oh, yes, you are ſpeaking about the *Black Book*." Some of them think that *Luther was the author of it*.' 'In an inveſtigation, which occupied nearly three whole days,' ſays Mr. Gordon, p. 716, 'during which I entered as many cabins as that time would admit, only one copy of the Scriptures was found, a Proteſtant Teſtament, that belonged to a child in attendance on a Proteſtant ſchool. The *perſons in the cabin were afraid to touch it; they handed it down on a board*, becauſe they thought it *an heretical book*.'

"That this ignorance is encouraged by the Church of Rome," continues Dr. Phillpotts, "as highly ſerviceable to its intereſts, is manifeſt not merely from the encyclical letter of the Pope (quoted above), but alſo from the conduct of the prieſts, as narrated in the evidence before the Commiſſioners. 'One lad of nineteen told me,' ſays Captain Pringle, '"If we read that Black Book, the prieſt tells me we ſhall be viſited with thunder and lightning."' 'The Roman Catholic clergy,' ſays another witneſs (H. M. Maſon, Eſq., p. 746), 'have denounced the Iriſh Scriptures from the altar in Kerry and Meath, and have called our New Teſtament, becauſe it is in ſome inſtances bound in black, the *Black Book*, and have produced it as ſuch in its black coat, connecting it with *the powers of darkneſs*.'"

More of the ſame kind might eaſily be added, but the picture is too unſightly already to require the introduction of freſh objects of horror. But, hideous as it is, it is drawn from life; for ſuch was the ſtate of things revealed by a Commiſſion appointed by Government, and for this deplorable ignorance it was only

too plain that the Romiſh hierarchy were anſwerable. And now the queſtion aroſe, ſhould Engliſhmen, by a deliberate vote in Parliament, help to make this darkneſs darker? And, what is more to the purpoſe, were the biſhops to ſtand idly by? Was no voice to be raiſed in defence of God's holy Word? Was it to be ſacrificed by ſtateſmen at the call of a political faction? Was that which makes men wiſe unto ſalvation henceforward to be baniſhed from every Iriſh ſchool? No. Indignant voices were raiſed from the Epiſcopal Bench, and none more righteouſly indignant than that of the Biſhop of Exeter. His was the noble part of expoſing the inſidious attempts of the Roman prieſthood to ſecularize the ſcheme of education, in order to remain ſole maſters of the field. Moſt forcibly did he ſhow the real bearings of a bill fraught with ſuch miſchievous conſequences, that it might well be doubted if its promoters knew to what lengths they were committing themſelves. It is probable that they did *not* know. But the penetrating glance of the biſhop could ſee the evil which was coming, and, in a ſpeech which would give him a laſting claim on the gratitude of poſterity, even if no other memorial of his public life remained, he denounced, with more than his uſual energy, and with a vehemence which muſt have reminded his hearers of one of thoſe heaven-inſpired meſſengers of old, the ſin which would attach to the nation if ſuch a bill ſhould ever become the law of the land.

Early in the debate the biſhop ſpoke as follows:—

"My Lords, I can aſſure the noble marquiſs who has

juſt ſat down that I will adhere to the advice which he has been pleaſed to give to your Lordſhips, and will confine myſelf ſtrictly to the queſtion before the Houſe. I have in truth no temptation to wander from it; for the queſtion itſelf is far more than ſufficient for me to hope to do juſtice to it, and it is beſides far more intereſting in itſelf than any collateral matter could help to make it. My Lords, it is, I can aſſure your Lordſhips, felt to be ſo by thouſands out of this Houſe and by not a few I truſt within it. It is a queſtion which, as it will be my duty to endeavour to ſatisfy your Lordſhips before I conclude, has not only excited, but has alſo juſtified the greateſt anxiety and alarm both in Ireland and throughout the empire at large.

" Before I proceed, my Lords, to enter upon the diſcuſſion of this moſt important ſubject, I will venture to make one remark in reference to an obſervation of the right reverend Prelate behind me (the Biſhop of Cheſter), for whom I may be permitted to ſay I entertain the moſt ſincere reſpect. That right reverend Prelate has ſaid that he could not conſent on this occaſion to raiſe his voice in condemnation of His Majeſty's Miniſters, although he diſapproved of the plan propoſed by them. My Lords, I too wiſh to be underſtood in the obſervations which I am about to addreſs to you, as meaning to ſay nothing unneceſſarily diſreſpectful to His Majeſty's Miniſters. My remarks will be made againſt the meaſure and not againſt the men. And yet, my Lords, I ſhall not be reſtrained by any apprehenſion of incurring the cenſure of a noble Lord who has recently addreſſed you, of being called factious or belonging to a faction —an accuſation pretty liberally beſtowed of late on thoſe who have conſidered it their duty, on public grounds, to oppoſe a public meaſure—I ſay, my Lords, I ſhall not be reſtrained by any apprehenſion of being charged as a member of a faction from ſpeaking as becomes a member of your Lordſhips' Houſe, and if I ſhall find it neceſſary to offer any very ſtrong obſervations againſt the meaſure, I ſhall not ſcruple to do ſo,

truſting that the noble earl at the head of His Majeſty's Government and his colleagues will underſtand that I wiſh my obſervations to apply as little as poſſible to them, but as much as poſſible to the meaſure itſelf. I ſay this the more readily, becauſe I do not think that there are many among thoſe noble lords, although officially reſponſible for the meaſure, who know what that meaſure really is. My Lords, I do not make this charge on ſlight grounds, for when I hear noble lords who have ſpoken in defence of the new plan, particularly the noble and learned Lord (Lord Plunket), declare that the principle of it has been ſanctioned by all the commiſſions and committees that have hitherto devoted their labours to the conſideration of this ſubject, it is plain to every underſtanding, that they know not what this new plan really is. My Lords, inſtead of being the ſame in principle as that which has been recommended by the reports of previous commiſſions and committees, I affirm that the preſent meaſure not only has not the ſanction of thoſe reports, but is in direct oppoſition to them all. If therefore, my Lords, I eſtabliſh this point to the ſatisfaction of your Lordſhips, I think I ſhall ſtand excuſed for ſaying that I very much doubt, or rather I do much more than doubt, whether the noble lords know what this meaſure really is.

"My Lords, I will now beg leave to refer to the letter addreſſed to the noble duke at the head of the new board of education, whom I am moſt happy to ſee in his place, from the right honourable the Secretary for Ireland. And I will beg leave from that letter, which is the formal and official expoſition of the new plan of national education in Ireland, to ſhow what that plan is. It may be conſidered as dividing itſelf into three diſtinct particulars,—as reſpects, firſt, the moral and literary inſtruction which it is propoſed to afford to Proteſtants and to Roman Catholics in common; ſecondly, the ſeparate religious inſtruction of Proteſtants; thirdly, the ſeparate religious inſtruction of the Roman Catholics. From

an examination of theſe ſeveral parts, I will undertake to ſhow that the real principle of this national plan of education is to exclude Scripture altogether from ſome of the ſchools ſupported by the State, and to lay the leaſt poſſible ſtreſs on Scripture as a part of that education in all. In truth, my Lords, ſtrange as it may ſeem, this official expoſition of the plan, I mean Mr. Stanley's letter, from the point at which it commences, the development of his plan is ſo conſtructed, as to avoid the very mention of Scripture at all.

"Firſt, as reſpects the common inſtruction of Proteſtants and Catholics, this is the proviſion:—'They will require that the ſchools be kept open for a certain number of hours on four or five days of the week at the diſcretion of the commiſſioners, for moral and literary education only. They will exerciſe the moſt entire control over all books to be uſed in the ſchools, none to be employed in the combined moral and literary inſtruction except under the ſanction of the board.' Now your Lordſhips will ſee here is no mention of any book of Scripture to be introduced; no, not even of a book containing extracts of Scripture. I know it has been a ground of complaint againſt the plan that extracts are propoſed to be given from the Scriptures and not the Scriptures themſelves. This is matter of complaint which has been frequently adverted to in petitions to this Houſe, and ſome of your Lordſhips alſo have made the ſame complaint. My Lords, my complaint is of a contrary kind. I complain not that books of extracts of Scripture are to be uſed in theſe ſchools of moral inſtruction, but that they are not to be there uſed. My Lords, if volumes of well-choſen extracts from the Bible were to be uſed in the ſchools at the time of common inſtruction, I ſhould not think it reaſonable to complain, that the whole Bible is to be reſerved for the times of ſeparate religious inſtruction. I ſhould think this no more than a fair conceſſion to the peculiar circumſtances of the caſe; but, my Lords, there is abſolutely no ſecurity whatever, that all books containing extracts from the Scrip-

tures are not to be excluded—rather, there is actual proof that all ſuch books will be excluded, as far as regards the moral inſtruction of both Proteſtants and Roman Catholics.

"I will take upon myſelf to ſhow this preſently, but in the meanwhile, let me go on to ſtate what the proviſions of this plan are for the religious inſtruction of Proteſtants. 'They,' the Commiſſioners, 'will exerciſe the moſt entire control over all books to be uſed in the ſchools; in the ſeparate religious inſtruction none are to be employed, but with the approbation of thoſe members of the Board who are of the ſame religious perſuaſion with the children for whoſe uſe they are intended.' Why, then, my Lords, it is clear that there is no other ſecurity for the uſe of the Bible, even in the religious inſtruction of Proteſtants, than that derived from the character of the individuals compoſing that commiſſion, and upon that point I ſhall ſpeak preſently.

"I obſerve, that ſome noble lords are diſpoſed to think that I am inclined to cavil upon this point, but I think when I come to enter further into the queſtion, I ſhall prove to them that I have too good ground for the opinion which I have expreſſed.

"With regard to the ſeparate religious inſtruction of Roman Catholics, the proviſions are the ſame as for the ſeparate religious inſtruction of the Proteſtants; neither the Old, nor the New Teſtament is required—all is to be left to the Commiſſioners of the two ſeveral perſuaſions.

"Such is a general view of this new plan of national education. I proceed to a more particular inquiry into its three ſeveral parts.

"In reſpect to the firſt part, I think I ſhall make it plain that the principle of this meaſure, ſo far as regards the joint moral and literary inſtruction of Proteſtants and Roman Catholics, is completely to exclude the uſe of the Bible, whether entire, or in extracts. In doing this, I fear that I muſt pray the indulgence of your Lordſhips for ſome treſpaſs on your time, becauſe I feel it neceſſary to have recourſe

to documentary evidence; and yet, however tedious that may be—and ſtill more tedious the obſervations which I may conſider it neceſſary to make on thoſe documents—I venture to be confident that your Lordſhips will patiently bear with me, not only becauſe I have not treſpaſſed on your atten on before, and am not likely often to do ſo again—but much more in conſideration of the great importance of the queſtion now before you.

"My Lords, I have ſaid that the Holy Scriptures, whether in the entire volume, or in the form of extracts, are, in fact, excluded from the propoſed plan of general education; and I think that this will appear in the cleareſt poſſible light, if I ſhow that the excluſion or non-excluſion of them muſt depend on the good pleaſure of the Board, and that there is one perſon placed upon this Board who is not only likely, but whoſe duty it is, to exclude them.

"My Lords, it muſt be borne in mind that this letter of the right hon. ſecretary refers to the acts of a preceding commiſſion which took place ſome years ago. I mean the commiſſion of 1824-27, at which latter period their labours were concluded. My Lords, the reports of that commiſſion furniſhed ample details of the opinions of the Roman Catholics with whom they communicated. The Commiſſioners felt the great importance of the principle, that a literary and moral education ſhould be baſed on the Scriptures. In their formal communication with Dr. Murray, on the ſubject of common inſtruction, a minute of which was made at the time, they thus expreſs themſelves:—'The Commiſſioners then ſtated that they could not conſider any ſyſtem of education as deſerving the name, which ſhould not ſeek to lay the foundation of all moral obligation in religious inſtruction—(ſo little notion had theſe wiſe and good men of any ſyſtem of common inſtruction which ſhould be moral and literary only). They, therefore, inquired of Dr. Murray, whether it would be objected to, on the part of the Roman Catholic clergy, that the more advanced of the Proteſtant and Roman

Catholic children ſhould, at certain times during ſchool hours, read portions of the Holy Scriptures together, out of their reſpective verſions, ſubject to proper regulations, and in the preſence of their reſpective Proteſtant and Roman Catholic teachers?' Dr. Murray anſwered, 'that ſerious difficulties would exiſt in the way of ſuch an arrangement; but he ſuggeſted an expedient—that of introducing collections from the Scripture and books of extracts.' Dr. Murray ſaid, 'No objection would be made to a harmony of the goſpels being uſed in the general education, which the children could receive in common, nor to a volume containing extracts from the Pſalms, Proverbs, and Book of Eccleſiaſticus, nor to a volume containing the hiſtory of the creation, of the deluge, of the patriarchs, of Joſeph, and of the deliverance of the Iſraelites, extracted from the Old Teſtament, and that he was ſatisfied no difficulties in arranging the details of ſuch works would ariſe on the part of the Roman Catholic clergy.' Thus it appears that the expedient of having books of extracts and collections from Scripture was firſt ſuggeſted by Dr. Murray; and that he then contemplated giving theſe extracts from the authorized Proteſtant verſion, is plain from what occurred at a ſubſequent meeting.

"My Lords, on the occaſion to which I have already referred, Dr. Murray came alone, and made this ſtatement before the Commiſſioners; but, in a few days afterwards, he returned, bringing with him the three other titular Roman Catholic archbiſhops of Ireland, and he ſaid,—'It appears to be the wiſh of theſe gentlemen,'—not at all implying that it was ſo much a matter of wiſh to himſelf, and certainly implying that it was not a matter of conſcience or principle to any of them,—'it appears to be the wiſh of theſe gentlemen, that anything given in the ſhape of Scripture ſhould be in the Douay verſion for the Catholic children.' Thus the matter ſtood on the 8th of January, 1825; yet, on the 16th of December, of the ſame year, it will be found that he poſitively objected, as of conſcience and neceſſity, to any-

thing being read, as Scripture, in the preſence of the Roman Catholic children, unleſs it was in the Douay verſion; he retracted, in ſhort, all he had ſaid, and objected to the uſe of any books that ſhould give any part of our Lord's own words, unleſs it was in that verſion. But he went further, and ſaid that it was contrary to the diſcipline of the Catholic Church that any books whatever ſhould be placed in the hands of the Roman Catholic children in which there was even a quotation from the Bible of the Eſtabliſhed Church, where that Bible differed from the Douay verſion. Thus, it became apparent that no books of extracts from Scripture, *as Scripture*—no moral inſtruction baſed on the Word of God, *as ſuch*—could be admitted into the ſchools of common inſtruction, unleſs the biſhops of the Proteſtant Church would conſent altogether to forego the uſe of their own verſion—the only verſion, I muſt be permitted to remind your Lordſhips, which the law of the land acknowledges as the Word of God. Not a text, or even a reference to it, would be tolerated by the Roman Catholics, if the reference to it were made as to the Scriptures—ſo decidedly were they oppoſed, within the ſhort period of ten months, to their former ſtatement in reſpect of the facilities which they were willing to afford to one common principle of inſtruction, and in order to promote the objects which the Commiſſioners had in view.

"And yet, my Lords, I muſt be permitted to remark that, whenever it may ſeem neceſſary, or poſſibly expedient, for Dr. Murray and his friends to act on a ſomewhat different principle from that which they have here announced, they find no difficulty in doing ſo. No doubt, your Lordſhips will all remember that it was made a matter of great triumph, and adduced by the noble and learned lord, the Lord Chancellor of Ireland, as a convincing proof of the liberal and Chriſtian ſpirit of Dr. Murray, that a paper containing the firſt leſſon ſet forth to be uſed under the new ſyſtem was moved for adoption by Dr. Murray; which leſſon is to be

ſuſpended in every ſchool, and enforced upon the mind of every ſcholar—a leſſon, moſt certainly, of a highly laudable nature—a leſſon of Chriſtian benevolence towards thoſe with whom we differ in religious belief. Now, that very leſſon contains citations from the Holy Scriptures in the verſion of the Church of England, even in texts where that verſion differs from the Rhemiſh (I ſay Rhemiſh, becauſe that word, in ſtrictneſs, refers to the tranſlation of the New Teſtament, as the Douay verſion does to the Old), and, as I have ſaid, is to be ſtuck upon the walls of every ſchool. This, I repeat, was propoſed by Dr. Murray, although he had joined before in ſaying, or, by his ſilence, had acquieſced in the ſaying of his brother prelates, to the Commiſſioners of 1825, that it was contrary to the diſcipline of the Roman Catholic Church that the Roman Catholic children ſhould have any book or extract with ſuch a reference placed in their hands. I ſtate this to ſhow how little confidence can be placed in the ſincerity of the Roman Catholic prelates, in any tranſactions in which the intereſt of their Church are concerned.

"My Lords, it will be recollected that the Commiſſion of 1824 abandoned the experiment which they had endeavoured to carry into effect, becauſe they found it impoſſible to get extracts from the Scriptures to be read in the ſchools. The conſent of the Roman Catholics could not be obtained to the uſe of our verſion of the Holy Scriptures, even though they were compelled to admit that their own verſion was not, ſtrictly ſpeaking, an authorized verſion; for it never had received any ſanction from Rome, and it had been repeatedly altered ſince its firſt publication. Our biſhops, on the other hand, could not conſent that the Proteſtant Bible —the only Bible acknowledged by the law of the land— ſhould be abandoned at the demand, or to conciliate the co-operation, of the Roman Catholics. The conſequence was, as we very well know, that the Commiſſioners of 1824 decided that the experiment could not go on; for, as a volume, or volumes, of extracts from Scripture were

eſſential, in their judgments, to the proper teaching of morality to Chriſtian children, and as no ſuch volume could be agreed upon, nothing remained for them to do but to relinquiſh an attempt which was thus proved to be hopeleſs. Now, on this occaſion Dr. Murray ſaid, in a letter addreſſed to the Commiſſioners—'I will avail myſelf of this opportunity to expreſs an opinion, which you will not, I am ſure, conſider at variance with that reſpect which I ſincerely entertain for the Board of Education inquiry: it is that the Board has created for itſelf a very needleſs difficulty by requiring, as a matter of neceſſity, any ſcriptural compilation to be uſed in ſchools for the purpoſe of general inſtruction.'

"It is quite manifeſt, therefore, that Dr. Murray thinks any ſuch ſcriptural volumes unneceſſary; and, as he has alſo declared that any ſcriptural compilation from the Bible of the Eſtabliſhed Church ought not to be uſed, he will not, and cannot, aſſent to its introduction into the ſchools of general inſtruction. In ſhort, my Lords, he muſt and will, if he have the power, exclude the Scripture from ſuch ſchools altogether.

"But, my Lords, that he will have the power, I proceed to ſhow to your Lordſhips—and this not merely from conſidering the deference which would neceſſarily be paid to his opinion reſting on alleged grounds of religious ſcruples, but alſo from a very peculiar circumſtance, which will be found to deſerve the cloſeſt attention of your Lordſhips. It certainly is moſt remarkable that Dr. Murray, or ſome one in the intereſt of Dr. Murray, has aſſumed for him a power which was not intended to be given by Mr. Stanley's letter: no leſs, in ſhort, than a veto on all books propoſed to be uſed for general inſtruction; and this object has been effected by foiſting in an important word into the regulations of the original.

"I am very happy to ſee in his place this day the noble Duke (the Duke of Leinſter), who is at the head of the Board of Iriſh Education, becauſe I ſhall be ſet right in reſpect

of what I call a moſt unwarrantable and unauthorized alteration of the inſtructions contained in that letter if I am incorrect.

"My Lords, it will be obſerved that Mr. Stanley's letter ſays:—'It is not deſigned to exclude from the liſt of books for the combined inſtruction, ſuch portion of ſacred hiſtory, or of religious and moral teaching, as may be approved of by the Board.'

"Now under this regulation, certainly if the Board at large ſhould think fit that a portion of the Scriptures ſhould be uſed, any objection on the part of Dr. Murray would be uſeleſs. [The Duke of Leinſter.—'Hear! hear!'] I am happy to find that the noble duke acquieſces in this, and calls the attention of your Lordſhips to it; for I am quite ſure that, after I ſhall have ſhown what has been done, you will find your attention has not been ill beſtowed. Your Lordſhips will obſerve that a public notice has been given by the Board of Education in Ireland, that they are ready to receive applications for aid, on the part of thoſe who may be diſpoſed to eſtabliſh ſchools under the direction of the Board.

"My Lords, I hold in my hands the public advertiſement of the Board to that effect. A noble lord near me ſays, in a tone ſomething like that of taunt, that I am quoting from a newſpaper. It is very true; but it is the very ſame document as was cited for a different purpoſe, without objection from any of your Lordſhips, ſome nights ago, by the noble and learned Lord (Lord Plunket); and I muſt take leave to ſay, that an advertiſement from a newſpaper is as regular a document, and as fit to be cited here, as any other paper which has not been formally laid on your Lordſhips' table. I repeat, therefore, that my newſpaper is as authorized a document as the noble and learned lord's ſheet, though this latter be of handſomer form, and better type. Now, my Lords, in this advertiſement, purporting to be the formal announcement of the Board's new plan of National Education, and ſubſcribed by the Secretary to the Board, the reſt of the

regulation reſpecting the control of the Board over the books of general inſtruction is given *verbatim*, according to the terms of Mr. Stanley's letter; but, before the word 'Board' is inſerted, the word 'entire' and the effect of the alteration, your Lordſhips will perceive, is to require the conſent of all and every member of the Board, to the uſe of every particular book; thus giving, as I ſaid, a veto to Dr. Murray, and enabling him, even if he ſtand alone, to exclude all books of extracts of Scripture, or anything elſe which might diſpleaſe him, from the liſt. [Earl Grey—'Where is the word? I do not find it here, and this is the paper iſſued by the Board.']

"Why, then, my Lords, if the Board has not in its own formal act inſerted the word, it is quite plain that there is ſome power which can effect whatever alteration ſhall be deemed expedient in the acts of the Board, in ſpite of the intentions of the Board itſelf. This advertiſement announces to the world the plan of education, and by it the conduct of the public in forming ſchools will be regulated, [Earl Grey intimated that he had found the word in his paper.]

"Oh, then, my Lords, it is in both papers—in the handſome official document, and in the more homely one in my hand, the word is equally to be found; and I cannot be ſorry for the doubt which at firſt exiſted in the noble earl's mind on this point, as it muſt have increaſed your Lordſhips' attention to the circumſtance, and, at the ſame time, perhaps, has teſtified the noble earl's ſenſe of its importance. I repeat, this word 'entire' is ſomething ſuperadded to the inſtructions of Mr. Stanley—ſomething not in any degree juſtified by thoſe inſtructions; and I muſt take the liberty of ſaying, further, that it would be ſatisfactory, if the noble duke at the head of the Board could inform us how this unauthorized and moſt improper interpolation was made; I am perfectly ſatisfied that he was no party to it. I have heard much of the noble duke's high and honourable character—I am perſuaded not too much,—and therefore, I feel myſelf warranted in affirming, that he never contemplated ſo important a change in the

inſtructions and powers which the Board received, as is involved in the interpolation of the word 'entire.'

"My Lords, while I am ſure it is not the noble duke's act, I am not ſure whoſe act it was. But this I will ſay, it is not of Engliſh, it is not of Proteſtant origin—the taint of Jeſuit is ſtrong upon it.

"'The offence is rank; it ſmells to Heaven.'

"Such, my Lords, has been the mode by which power has been given to every ſingle member of the Board; to Dr. Murray, therefore, in particular, who has declared himſelf bound in conſcience to uſe that power—to exclude all extracts from Scripture, if thoſe extracts be in the verſion which all Proteſtants conſider, and which alone the law of this land conſiders, as Scripture, from the ſchools of common inſtruction of Proteſtant and Roman Catholic children.

"My Lords, I proceed to the ſecond part of this plan of National Education—the ſeparate religious inſtruction of Proteſtant children. Here, too, I muſt remind your Lorſhips that we have heard this new plan repeatedly and ſtrongly defended, eſpecially by the noble and learned lord, the Lord Chancellor of Ireland, becauſe the ſeveral reports of the various Commiſſioners and Committees of the Houſe of Commons, aſſert principles in perfect accordance with thoſe upon which the Government plan of education has been founded. Now, I will take the liberty of aſſerting—and I fearleſſly refer your Lordſhips to the documents themſelves, to prove the correctneſs of my aſſertion—that, ſo far from this plan being ſanctioned by the previous reports, it is in direct oppoſition to all of them—in every part of it; and not leaſt in the part to which I am about to invite the attention of your Lordſhips.

"My Lords, the whole control of the religious inſtruction of the Proteſtant children of Ireland will be placed, by this plan, in the hands of three Commiſſioners nominated by the Crown. I need ſcarcely tell your Lordſhips that I enter-

tain for the Proteſtant portion of the Board the very higheſt reſpect; I have already ſpoken, and ſhall continue to ſpeak, of the noble duke at the head of the Board with the moſt ſincere reſpect; but ſure I am your Lordſhips will agree with me, and I am alſo ſure the noble duke himſelf will be perfectly ready to admit, that there is no great probability of his troubling himſelf much with minutely criticiſing the religious publications ſubmitted to the Board. The duty of examining them muſt, then, of neceſſity devolve upon the other two Commiſſioners, namely, the Archbiſhop of Dublin and Dr. Sadleir. I know both thoſe learned perſons, and of both of them I think moſt highly. Of the Archbiſhop of Dublin, I will ſay, that I never knew a man of greater powers, or of a more richly cultivated mind. I never knew a man more ſtrenuous in the purſuit of truth, more fearleſs in following whitherſoever the purſuit may lead him. In ſhort if ever I knew one man more than another who could be called a ſtrict lover of truth, that man is the Archbiſhop of Dublin; and, to ſay of any man that he is a ſtrict lover of truth, amounts to ſaying that he is one of the beſt of men. But, having ſaid this, I truſt it will not be imagined that I ſpeak invidiouſly, when I ſay, that this very ardent love of truth in one, who happens to have erred in the purſuit of it, only makes him the more unſafe as a guide, much more as the abſolute arbiter of the opinions of others. In ſhort, my Lords, I muſt not be afraid of ſaying, that the known opinions of the Archbiſhop of Dublin upon an important theological queſtion, are opinions which, in a great degree, diſqualify him for the ſituation to which he has been called. That he is diſqualified for that ſituation not merely becauſe he muſt be thoroughly ignorant of the ſtate of Ireland; not becauſe he is, therefore, in imminent danger of being duped by the Jeſuitiſm to which I have already adverted; but alſo becauſe, as I have ſaid, of thoſe opinions.

"The opinions of this moſt reverend Prelate are no ſecret —they are known, I preſume, to moſt of the noble lords

I have the honour to addreſs. His opinion denying the ſacredneſs of the Sabbath has been put forth to the world, and he is anſwerable for it to the world. Now, what I ſay is this, that any man holding ſuch an opinion, and not only holding it, but promulgating it to the world, is not qualified to have a veto on the books that ſhould be uſed in the education of Proteſtant children. Suppoſe a tract is put into his hand, the theme of which is, 'Remember that thou keep holy the Sabbath-day,'—I put it to any man, is he or is he not a perſon who ought to be intruſted with the power of deciding as to the admiſſibility of ſuch a tract? My Lords, I perceive, from the demeanour of ſome noble lords near me, that they think this language invidious. My Lords, I diſclaim any ſuch intention, I mean nothing invidious. I, in common with the great body of the clergy of the Church of England, and with all, I believe, of my right reverend brethren near me, hold that this opinion is erroneous. I impute error, but nothing more than error: and I lament to think, in theſe days, that a man muſt either be ſuppoſed to be inſincere himſelf, or to aſcribe inſincerity to another, if he gives him credit for conſcientiouſly avowing and maintaining an error.

"But, my Lords, the caſe ſtops not here. Much worſe conſequences may flow from the principle on which this commiſſion is founded. The preſent Miniſters would not, I dare ſay, advance a man to the Epiſcopal Bench in Ireland who holds Socinian or Arian opinions. They would not knowingly do ſo. But there have been inſtances of ſuch appointments; even in our own times there was an Iriſh biſhop defamed as a Socinian. I will ſuppoſe ſuch a man appointed to the Archiepiſcopal See of Dublin, and to a ſeat at this board, and then I find a Socinian veſted with full power to control the religious ſentiments of the riſing generation of Ireland.

"But, my Lords, the whole of this part of the meaſure is a flagrant violation of the ſpirit, and, I believe, even of the

letter of the law of the land; it is, too, a groſs uſurpation upon the rights of the clergy of Ireland.

"By the ſtatute law, it is the duty of the Proteſtant clergy of that country to make proviſion for the education of the people. The earlieſt Act to which I think it neceſſary to refer your lordſhips is an Iriſh Act of Parliament of the 28th of Henry VIII. This Act, after ſtating 'the importance of a good inſtruction in the moſt bleſſed laws of Almighty God;' and after further ſtating 'his Majeſty's diſpoſition and zeal, that a certain direction and order be had, that all of his (Iriſh) ſubjects ſhould the better know God, and do that thing which might in time be, and redound to our wealth, quiet, and commodity,' proceeds, after other matters, to require an oath to be adminiſtered to every clergyman at ordination, and another at inſtitution, that he will keep, or cauſe to be kept, a ſchool for to learn Engliſh, &c. And this is re-enacted by the 7th William III, c. 4, (Iriſh). Theſe proviſions, as I preſume I need not inform your lordſhips, impoſe no obligation upon the beneficed clergy to maintain thoſe ſchools at their own expenſe; they merely convey to them a power, and impoſe on them an obligation, of ſeeing that theſe ſchools be eſtabliſhed, and that no higher rate of payment be charged than the cuſtomary rate. In truth this Act does little more than add a pecuniary penalty to the ſacred obligation which, without any ſuch ſtatute, would have been impoſed upon the clergy of attending to the inſtruction of the young. It is their duty upon much higher grounds than thoſe which any Act of Parliament can impoſe; for at their ordination they receive a power, and at inſtitution they receive the aſſignment of a particular place in which to execute that power, of preaching the Word of God; and, by preaching, as I ſcarcely need tell your lordſhips, is not meant merely the delivery of ſermons, but the whole ſpiritual care of their flocks. But the letter of the Chief Secretary for Ireland not only interferes with the obligation involved in the miniſterial office,

ſo far as concerns this moſt important particular of the cure of ſouls—the religious inſtruction of the children of the poor—but it alſo puts an end, or profeſſes to put an end, to the obligations which poſitive ſtatutes have created;—for it, in effect, takes out of the hands of the parochial clergy that right and duty of ſuperintendence with which ſeveral ſtatutes have inveſted them. This, I preſume, will be conſidered by moſt noble lords as the aſſumption of ſomething very like a diſpenſing power. Be this as it may, three Commiſſioners are nominated by the Crown, who are to poſſeſs the abſolute power of dictating what ſhall be the religious inſtruction given to the children of Ireland; thus taking from the parochial clergy in Ireland that which the laws of God and man had intruſted to their fidelity and diſcretion. Now, my Lords, we are told that this plan is perfectly identical with that which was over and over again recommended by different Committees and Commiſſions. But ſo far is this from being correct that the Commiſſion of 1824 left this matter wholly and expreſſly in the hands of the clergy. The firſt report of that Commiſſion, at great length, aſſerts and eſtabliſhes the right of the clergy, by ſtatute, to the ſuperintendence of the inſtruction of the children of Ireland; and the Report of the Committee of the Houſe of Commons in 1828 left the ſelection of books for the religious inſtruction of the Proteſtant children to the biſhops of the Church in general, who might be conſidered as the fit repreſentatives of the clergy. But this new plan abſolutely flies in the face of all that went before; and yet noble lords, and noble and learned lords, defend this plan on the ground of its being founded on the very ſame principles.

"But I am come to the third part of this new ſcheme of national education; and I aſk, How does it provide for the religious inſtruction of the Roman Catholic children?

"My Lords, I am not prepared to ſay that it is the duty of the State to inſiſt on all perſons learning in the Bible; but this I ſay, that it is the duty of the State not to aid in any

form of education which excludes the Bible; this I ſay, that all perſons ſhould have free acceſs to the Bible, whether they will avail themſelves of it or not. We ſhould recollect that the preſervation of a free acceſs to the Scriptures is a duty impoſed upon us by the law of God, and eſpecially that every Proteſtant legiſlature, as ſuch, is bound to take care that the people committed to its charge enjoy that privilege in its fulleſt extent; is bound to ſee that, neither directly nor indirectly, it makes itſelf a party to any meaſure adverſe to this prime and fundamental Proteſtant principle.

"In making theſe ſtatements, however, I am perfectly willing to admit that, in the preſent peculiar ſtate of Ireland, it would be at once unwiſe and cruel not to give more than the Proteſtant verſion of the Scriptures. All that I contend for is the duty of a Proteſtant legiſlature and a Proteſtant government to ſee that a verſion of the Scriptures, of ſome kind or other, be acceſſible to all; and that it be actually uſed in the inſtruction of all for whoſe education the State ſhall undertake to provide. Yet this the Roman Catholic hierarchy will not now permit. In truth, it cannot have eſcaped the attention of your lordſhips that the preſent demands of that hierarchy are of a much more lofty character than thoſe which they urged at a former period; though, to do them juſtice, their declared principles were then the ſame as now. In proof of this I will refer to a petition of the Roman Catholic biſhops of Ireland to the Houſe of Commons, preſented in 1824, and publiſhed in the firſt Report of the Commiſſioners of 1824, page 1. The words are theſe:—

"'That the religious inſtruction of youth in Catholic ſchools is always conveyed by means of catechetical inſtruction, daily prayers, and the reading of religious books, wherein the goſpel morality is explained and inculcated; that Roman Catholics have ever conſidered the reading of the ſacred Scriptures by children as an inadequate means of imparting to them religious inſtruction, as an uſage whereby the Word

of God is made liable to irreverence, youth expoſed to miſunderſtand its meaning, and thereby not unfrequently to receive, in early life, impreſſions which may afterwards prove injurious to their own beſt intereſts, as well as to thoſe of the ſociety which they are deſtined to form.'

"Such were the ſentiments of the Roman Catholic biſhops at the period to which I refer, deliberately laid before the other Houſe of Parliament. I ſhall now requeſt your lordſhips' attention to another document which I think not leſs intereſting than important, for the purpoſe of illuſtrating and ſuſtaining the poſitions which it is my object to enforce. I allude to an encyclical letter from Pope Leo XII. againſt the uſe of the Scriptures in the vulgar tongue, dated the 3rd of May, 1824, and publiſhed in Ireland with 'Paſtoral Inſtructions to all the Faithful' by the Roman Catholic archbiſhops and biſhops of Ireland, and is to the following effect:—

"'We alſo, venerable brethren, in conformity with our apoſtolic duty, exhort you to turn away your flock, by all means, from theſe poiſonous paſtures (the Scriptures in the vulgar tongue); reprove, beſeech, be inſtant in ſeaſon and out of ſeaſon, in all patience and doctrine, that the faithful intruſted to you (adhering ſtrictly to the rules of our Congregation of the Index) be perſuaded that if the ſacred Scriptures be everywhere indiſcriminately publiſhed, more evil than advantage will ariſe thence, on account of the raſhneſs of men.'

"To this paſſage the Iriſh prelates, in their Paſtoral Inſtructions, refer in the following terms:—

"'Our holy father recommends to the obſervance of the faithful a rule of the Congregation of the Index, which prohibits the peruſal of the ſacred Scriptures in the vulgar tongue, without the ſanction of the competent authorities. His holineſs wiſely remarks that more evil than good is found to reſult from the indiſcriminate peruſal of them, &c. In this ſentiment of our head and chief we fully concur.'

"My Lords, you have here before you the ſolemn judgment

of the head of the Roman Catholic Church. You have likewiſe before you the ſolemn judgment of the whole Iriſh Roman Catholic hierarchy. I will next ſtate what an individual of that body—the moſt influential among them, Dr. Doyle—has ſaid of his own ſeparate ſentiments—ſeparate only in the ſenſe that he ſpeaks in his individual capacity, but in no reſpect different from the general ſentiments of the body. He ſays,—

"'The Scriptures alone have never ſaved any one; they are incapable of giving ſalvation; it is not their object; it is not the end for which they were written.'

"Theſe are his ſentiments, though S. Paul tells us that the Scriptures 'are able to make us wiſe unto ſalvation.' Dr. Doyle goes on to ſay,—

"'They hold a dignified place amongſt the means of the inſtitution which Chriſt formed for the purpoſe of ſaving His elect; but if they never had been written this end would be obtained, and all who were pre-ordained to eternal life would have been gathered to the Church, and fed with the bread of life.'

"Such are the notions of Dr. Doyle reſpecting Scripture, and not of Dr. Doyle only, but of all the Roman Catholic prelates of Ireland. They will act in conformity to theſe notions, and, armed with the authority of this commiſſion, they will expel the Scriptures from the religious inſtruction of all their ſchools, even of thoſe which are maintained at the expenſe of this Proteſtant State.

"But, my Lords does this accord with the recommendation of the Commiſſioners of Iriſh education of 1824? So far from it, that they laid it down as a fundamental, an indiſpenſable principle, that the Teſtament ſhould be put in the hands of all children, Roman Catholics as well as Proteſtants. This was a matter which they would not permit to be brought even into queſtion; they inſiſted upon it as eſſential (their own word, my Lords), and they required the Roman Catholic prelates to furniſh them with a verſion of

the New Teſtament for the purpoſe. They permitted, indeed, that notes ſhould be ſubjoined, requiring only that theſe notes ſhould not contain matter of reaſonable offence to Proteſtants. My Lords, I have pleaſure in bearing teſtimony to the fairneſs and fidelity with which this has been accompliſhed. I have pleaſure in ſaying that I have read thoſe notes, and have found in them nothing whatever which can afford fair ground of offence to any reaſonable Proteſtant.

"My Lords, the Commiſſioners of 1824 inſiſted, I repeat, on this Teſtament being uſed in the religious inſtruction of the Roman Catholics, and on the children reading in it, not only the Epiſtles and Goſpels of the Sundays, but the Epiſtles and Goſpels of the whole week, including a large portion of the New Teſtament.

"My Lords, the Committee of the Houſe of Commons of 1828 followed in the ſame line. They, too, required that this New Teſtament ſhould be printed and ſupplied to the national ſchools for the religious inſtruction of the Roman Catholic children:—

"'Reſolved, that it is the opinion of the Committee that copies of the New Teſtament, &c. ſhould be provided for the uſe of the children, to be read in ſchool, &c. the eſtabliſhed verſion for the uſe of the Proteſtant ſcholars, and the verſion publiſhed with the approval of the Roman Catholic biſhops for the children of that communion.'

"Such was the reſolution of the Committee of 1828; but the new plan abandons the Teſtament altogether. It does ſo, even though it profeſſes to carry into effect the report of that Committee—it does ſo, even though ſome ſpecial management (I wiſh not to uſe the word in an invidious ſenſe, but ſimply to ſtate the fact, that ſome management) was neceſſary to effect the purpoſe. My Lords, on looking to No. 6 of the regulations of page 5 of the report of the Committee, and comparing it with No. 5 of the regulations in Mr. Stanley's letter, your lordſhips will perceive what I mean. In the latter, all mention of ſupplying 'books of

religious inſtruction' (which included Teſtaments) is ſtudiouſly omitted, even where that letter is copying the very part of the report which requires ſuch a ſupply. Why, my Lords, is this? Why is it that, in the plan of the preſent Board of Education, which profeſſes to carry into execution the recommendation of that Committee, there is no proviſion made for the ſupply of Teſtaments to any ſchool in Ireland? Becauſe, my Lords, the power which dictates to Government, in all that concerns the intereſts or the wiſhes of the Roman Catholic Church, has choſen to demand the ſacrifice—has choſen to demand that the Bible ſhould be altogether excluded from their ſchools. To this power our Proteſtant government has conſented to ſurrender that which never before was permitted even to be aſked.

"My Lords, I have now gone through the various parts of this new ſcheme of national education, and I think its merits may be fairly ſummed up in this brief abſtract. It has divorced morality from the Word of God. It has controlled the Proteſtant prieſthood in the exerciſe of one of their moſt eſſential rights, and in the diſcharge of one of their moſt important duties—ſubjecting them to a tyranny which the laws neither of God nor of man have authorized. It has conſpired with the Roman Catholic hierarchy to arreſt the progreſs of the book of life—to exclude that bleſſed book for ever (as vain man fondly deems) from every cabin of every peaſant in Ireland—and to conſign the unhappy peaſant himſelf to a deeper, deadlier ſtate of darkneſs and of bondage.

"My Lords, I have done. I have ſaid what I had to ſay, and I thank your lordſhips for the patience with which you have heard me. Be aſſured that I will not often treſpaſs on that patience. My Lords, in the part which I have now taken, I have only endeavoured to diſcharge ſome portion of the duty which I owe to the high office in which I am placed.

"Why are men of our ſpiritual function called to mingle

in the councils of you, the mighty ones of this world, and to bear our part in legiſlating for the land? Why is this ſtrict union of Church and State?—an union which, for many more centuries than I can number, has been the glory and ſecurity of England. Why, I aſk, is this? Is it to make the Church political? No, my Lords; in the language of the moſt venerable man among you—one of whom, as he is now abſent, I can more freely expreſs my gratitude and admiration—I mean the noble and learned earl who for ſo many years ſat on that woolſack—it is not to make the Church political, but to make the State religious. Therefore, my Lords, it is that we ſit here. We ſit among you mainly and chiefly (not, indeed, ſolely, but mainly and chiefly) that we be at all times ready, when occaſion ſhall demand, to inſtil into your counſels the holy leſſons of Goſpel truth —to watch over the beſt and higheſt intereſts of thoſe for whom you legiſlate—to raiſe our warning voice againſt every attempt, from whatever quarter it may proceed, to ſever policy from religion, or to ſacrifice the ſmalleſt particle of that pure faith for which your forefathers, my Lords, drove a bigot from his throne, and our predeceſſors were content to be led by his beadles to a gaol! My Lords, I ſtand before you a biſhop of the united Church of England and of Ireland; the united Church, I ſay—for never may we forget that it is united—never! never! never!—leaſt of all, in this dark hour of ſuffering to the Iriſh branch, of common trial, of common peril (it may be both), to both. I ſtand here, and implore your lordſhips to give your moſt ſerious attention to the high religious intereſts, aye, and I muſt be permitted to add, the high religious duties, which are involved in this night's queſtion. I ſtand here, and conjure you to caſt off, for one brief hour, all inferior thoughts, and to remember only that you are Chriſtian legiſlators.

"My Lords, four-and-twenty hours have ſcarcely paſſed ſince we humbled ourſelves in the houſe of God, deploring the ſins of a guilty people, and beſeeching Him to avert the

fearful ſcourges which thoſe ſins have merited. We all then 'humbly acknowledged that, through our neglect of God's ordinances, through our miſuſe of God's bounties, offences have multiplied in the land.' My Lords, of all thoſe ordinances, the moſt ſacred is the due and free uſe of His holy Word; of all thoſe bounties, the moſt precious is the gift of that holy Word. And will you then, my Lords, on this, the firſt night of your aſſembling together after that ſolemn ſervice—will you join in dereliction of your firſt duty—in deſerting the cauſe of God's own Word? My Lords, I have no right to ſpeak to you of my own feelings: if I had, I would entreat, I would beſeech you—I would not, indeed, imitate the eloquent action of the moſt eloquent of living men—I would not bend my knee in prayer to you, for I pray not to mortal man—but if reverence did not forbid me to mingle the attitude and the words of prayer with the excitement of this debate, I would humbly pray to Him Whoſe poor and worthleſs creatures we all are—aye, my Lords, the higheſt and the proudeſt, no leſs than the lowlieſt and the meekeſt—I would pray to Him that He would bow the hearts of all here as of one man, 'to put away the accurſed thing from among you'—to diſclaim all part in this moſt unhallowed work, even though the name and the ſeal of our gracious Sovereign be upon it.

"My Lords, that name and that ſeal, affixed to ſuch a commiſſion—in execution of ſuch purpoſes—by ſuch inſtruments—fill the mind with ſtrange muſings; awaken affecting recollections; invite, perhaps, to ſome compariſons. But I forbear; I will not be further ſtirred by them than to warn the counſellors of a gracious prince—all whoſe thoughts and wiſhes and intentions are, we know, for the good and happineſs of his people—to warn them, ere it be too late—while thrones are tottering, and crowns are falling around us—while they themſelves are reminding us, moſt properly and moſt wiſely—I thank them for it—while they are reminding us that even now God's judgments are in the earth

—to warn them, I ſay, that He, by Whom kings reign, may be provoked to ſay again, what He once ſaid to a monarch whom He had himſelf placed over His own choſen people, 'Becauſe thou haſt rejected the Word of the Lord, He hath alſo rejected thee from being king over Iſrael.'"

This ſpeech—the firſt conſiderable effort of the biſhop in the Houſe of Lords—placed him at once in the front rank of Parliamentary debaters, and inſpired even his enemies with the higheſt opinion of his ability and eloquence.

It was upon the occaſion of this debate that Lord Radnor, ever ready to caſt obloquy upon the Church or the clergy, made that diſgraceful attack upon the character of the biſhop which has already been referred to.

On the 27th of this ſame month (March), the Houſe having reſolved itſelf into a Committee on the Pluralities Bill, Lord King took occaſion to refer once more to the pariſh of Woodbury* in the dioceſe of Exeter, from whence, as alleged, the vicars choral of Exeter Cathedral drew an income of 600*l.* or 700*l.* per annum, while they allowed the officiating clergyman only 50*l.* or 60*l.* a-year. The Biſhop of Exeter then expreſſed his gratification that Lord King had referred to this matter, as it gave him an opportunity of ſtating the real facts of the caſe. Inſtead of receiving 600*l.* per annum, as alleged, the vicars choral received only one third of that ſum, and the income of the clergy-

* See page 300.

man inſtead of being 50*l.* was 100*l.* per annum. It was true that he received only 50*l.* or 60*l.* from the choral fund, but the pariſh made up his ſalary to 100*l.*, and the vicars choral had ſince raiſed it to 150*l.* per annum.

CHAPTER XXIII.

Anxiety as to the Fate of the Reform Bill in the Houſe of Lords. Rumoured Intention of creating new Peers. Defection of Lords Harrowby and Wharncliffe. The "Waverers." The Bill carried. The Royal Aſſent. The Biſhop of Exeter a Strenuous Opponent of it. His Intrepid Conduct. Abandonment of the Cauſe by ſome of the Biſhops. Deſcription of the Biſhop of Exeter's Speech. Anxiety to hear the Debate. Excitement throughout the Country. The Biſhop's Speech againſt the Bill. Importance of Publication of Parliamentary Debates. Conduct of the Editors of Newſpapers. The Biſhop's Speech attacked by the Times. *Charged with Change of Sentiment on the Roman Catholic Queſtion. Lord Durham uſes Violent Language towards the Biſhop. He is called to Order. He repeats his Charge. The Biſhop's Reply. The Duke of Buckingham declares that Extracts from a Letter of his to the King had appeared in the* Times, *as ſtated by the Biſhop. Indignant Speech of Earl Grey. Attack upon the Biſhop. Exultation of the Radical Portion of the Preſs. No Real Explanation given of the Appearance of the Letter. Injudicious Conduct of Miniſters. The Biſhop ſigns the Duke of Wellington's Proteſt againſt the Reform Bill. Great Unpopularity in his Dioceſe. He returns to Exeter. His Preaching. Sets out on a Confirmation Tour through South Devon. Holds an Ordination at Exeter. Leaves for London to attend Seſſion of Parliament.*

THE ſucceſsful progreſs of the Reform Bill through the Houſe of Commons has been already noticed.* So far all had gone ſmoothly enough; but its warmeſt ſupporters could not think of its probable fate in the

* See page 310.

Houſe of Lords without concern. It was rumoured that, if need ſhould ariſe, a ſufficient number of new peers would be created to enſure its ſucceſs. This would have had the practical effect of altogether depriving the Houſe of Lords of a voice in the council of the nation. They might paſs the meaſure indeed, but it would be by the preconcerted vote of a packed aſſembly. If the deſign, however, was ever ſeriouſly entertained, it was not carried into effect, and on the 26th of March the bill was read for the firſt time in the Houſe of Lords. Some of the opponents of the former bill now declared their adheſion to the new meaſure, their ſentiments having been changed partly by a fear of conſequences, and partly perhaps from a conviction that reform of ſome ſort was needed. Foremoſt amongſt theſe were Lords Harrowby and Wharncliffe, the leaders of the former oppoſition. The ſecond reading was moved on the 9th of April, and the debate was continued on the 10th, 11th, and 13th, having been ſuſpended on the 12th, in conſequence of its being a levee day. Fiercely did the tide of argument roll from one ſide of the Houſe to the other until ſeven o'clock in the morning of the 14th of April, when upon a diviſion the ſecond reading was carried by a narrow majority of nine.

And now the hopes of the reformers roſe high. The victory was theirs, for the bill was read a third time, and paſſed, on the 4th of June, and three days afterwards the Royal aſſent was given by commiſſion. The Biſhop of Exeter continued a ſtrenuous opponent

of the bill to the very laſt. A conviction of its inexpediency was ſo firmly implanted in his mind, that neither the example of "the Waverers" (as his brother peers who having voted againſt the firſt bill, voted in favour of the ſecond, were ſtyled) nor the menace of popular indignation could move him. Seldom did he exhibit his characteriſtic tenacity of purpoſe more ſtrikingly than upon this trying occaſion. Painful as it was to incur public odium, eſpecially in his own dioceſe; much as he might ſhrink from being held up to ſcorn as the type of a claſs, who, ſo long as they could fill their own pockets, thought it a light matter to trample under foot the liberty of the people, he felt that his duty was imperative, and he did it.

Eaſy enough would it have been to have earned a tranſient popularity by abandoning the cauſe he had eſpouſed, as the Biſhops of Bath and Wells, Lichfield, Lincoln, and Llandaff had done, and who could tell how high a reward might have awaited one ſo gifted, if he had only thrown the weight of his talents into the miniſterial ſcale? His ſpeech upon this occaſion was ſingularly characteriſtic, and is remarkable for having given riſe to an angry diſcuſſion, which will be noticed further on. The *Morning Chronicle* of April 12th (a journal little friendly to the biſhop) deſcribes it as *the beſt ſpeech on the oppoſition ſide*; and ſo it undoubtedly was.

While diſdaining to enter upon the details of a meaſure which he believed to be ſubverſive of the conſtitution, he ſhowed, by comparing the Engliſh Reform

Bill with the Iriſh, then under conſideration in the Commons, that one effect of the meaſure would be to diſſolve the few and inſufficient ſecurities which had been left to the Eſtabliſhed Church by the Roman Catholic Relief Bill. The aggreſſions of later years have ſhown how thoroughly the biſhop underſtood the temper of the Roman Catholic hierarchy. It was to this part of his ſubject that he addreſſed himſelf with ſingular force and energy,—elements which were ſadly wanting in moſt of the other ſpeeches. The weariſomeneſs of details which had been ſo often diſcuſſed before, made the debate for the moſt part heavy and unintereſting. But tedious as was the progreſs of the bill, the excitement inſide and outſide the Houſe knew no bounds. The *Spectator* ſays:—

"A friend of ours deſcribes the appearance of the Houſe of Lords at five o'clock in the morning, when the horizontal rays of the ſun began to daſh through the windows, and mingle with 'the petty miſty light' of the decaying candles, as hardly leſs intereſting than the gay ſcenes of the Abbey on the morning of the Coronation Day. The body of the Houſe was crowded with peers, eagerly bent forward to catch the exordium of the premier, whoſe tall and venerable figure appeared on the floor. The eyes of the Chancellor flamed like two diamonds 'in their native dew' under his overwhelming wig. Lord Lyndhurſt's lips were formed in their uſual crafty ſmile. 'The Duke' looked as wooden as ever; and nothing indicated the long, and heavy, and haraſſing duty in which the liſteners, more than the ſpeakers, had for ſo many hours been engaged. The Peereſſes had kept their ſeats to the laſt. They too ſhowed no ſigns of fatigue; and one of them, conſpicuous above the reſt by the air of intereſt that ſtill marked her countenance, ſeemed to ſhow that ſhe

was not unuſed to late hours, and had perhaps perſonal or family advantages in contemplation. It was not until the moment when the diviſion was called that the fair lady, and her gay bevy, reluctantly withdrew, reſting however in the auguſt precincts until the fate of the queſtion was known."

Nor was this all. An impatient crowd thronged the ſtreets. Coffee-houſes and taverns were full to choking. Popular orators were hoarſe with their denunciations of a pampered ariſtocracy and a dominant Church. Eager liſteners were never tired, and every hour ſwelled the crowd. Meſſengers were in attendance to carry the firſt news to the foreign embaſſies, and couriers, already in the ſaddle, were ordered to ſpare neither whip nor ſpur till the tidings had been borne to the moſt diſtant corners of the land. The queſtion ever in men's mouths was, "What will the lords do?" It was whiſpered in the avenues of the palace, it was heard above the clamour of the exchange, it was the firſt thing talked of when men left the Houſe of God. Woe to that auguſt body, ſo it was ſaid, if they ſhould dare to croſs the people's will!

It was on April the 11th, the third night of the debate, when the tide of popular excitement was running at the higheſt, and the ſtorm of indignation againſt the Church was blowing its wildeſt, that the Biſhop of Exeter roſe, immediately after the Biſhop of London, and ſpoke as follows:*—

* Any one who reads this ſpeech will not require an apology for its being inſerted entire. As it was one of the earlieſt of the biſhop's efforts in Parliament, ſo will it ever rank among the beſt.

" My Lords, it was my wiſh not to obtrude myſelf on the attention of your lordſhips during the preſent debate; and I had reſolved to act on that wiſh, unleſs ſome of my right rev. brethren ſhould addreſs the Houſe in favour of the bill. My Lords, my two right rev. friends near me have thought it neceſſary ſo to addreſs your lordſhips. I truſt, therefore, that I ſhall be pardoned if, following them with equal openneſs and candour, but with very unequal ability, I ſhall endeavour to declare the reaſons which compel me to vote in oppoſition to them. My Lords, I feel that, of what theſe right rev. Prelates have ſaid, very little indeed calls for any obſervations from me. That they are ſincere; that they are diſintereſted; that they are perſuaded that the view they have taken of this ſubject, and the concluſions to which they have arrived, are juſt, I am perfectly ſatisfied. Whatever obſervations may have been anywhere made on them, I profeſs, my Lords, that I am at a loſs to diſcover any reaſonable ground of ſuſpicion againſt the purity of the motives which have actuated them on this occaſion. The firſt point, my Lords, to which I think it neceſſary to apply myſelf is, the obſervation which was made by the right rev. Prelate who ſpoke laſt, with reſpect to the notice given by the noble duke oppoſite laſt night. The noble duke (Buckingham), my Lords, gave notice that he would bring in a bill for a reform of Parliament, in caſe of the rejection of that which is now before the Houſe; and it is moſt remarkable that this meaſure of reform promiſed by the noble duke coincides, in a very extraordinary manner, with the opinions and feelings expreſſed by the right rev. Prelate. Now, my Lords, I ſhould have thought that the natural courſe for him to have taken would have been to ſay, 'I rejoice to find that, after all the delay which has taken place—after all the diſappointment to which I have been ſubjected, in not having before had a meaſure ſubmitted to my conſideration which accorded with my views, I ſhall now have what I have ſo long wanted—a rival expedient will be propoſed, which falls in ſo peculiarly with my

own feelings and my own notions, that I cannot heſitate to wait for it.'" [The Biſhop of London: "No, no!"] "The right rev. Prelate ſays, 'No, no.' I do not know where I was wrong in the ſtatement I have made of the opinions which he has expreſſed; but if I have miſrepreſented him, I am ſure he will believe that I have not done ſo intentionally. At any rate, it muſt be admitted that the reaſon given by my right rev. friend coincides very remarkably with what I have ſtated of his opinions; for he finds no fault with the extent or purport of the noble duke's notice; he only ſays it has come too late for one who had found it neceſſary to make up his mind ſome time before. No doubt my right rev. friend had ſo made up his mind, but why it was neceſſary for him to do ſo I cannot conceive; and yet I am quite ſure that the neceſſity which is felt by ſuch a mind as his is ſomething very ſtrong. Be this as it may, I ſhould have thought it time enough for him to have made up his mind when the bill was before the Houſe, and when the queſtion to be decided really preſſed for deciſion; but he has anticipated that period—for very good reaſons, I am quite ſure, though I am at a loſs to perceive them. My Lords, I ſhould not have been ſurpriſed if any of the noble lords on this (the miniſterial) ſide of the Houſe had wiſhed to get rid of this notice of the noble duke, which muſt be felt by them as very inconvenient. But I ſhould have thought that, to any one entertaining the opinions expreſſed by my right rev. friend, and who had read the bill which I hold in my hand, the noble duke's notice would have been the moſt acceptable thing poſſible, becauſe it affords the very beſt means of getting out of all the difficulty which ſuch a perſon muſt feel. It enſures the object he has in view, the real extent of reform which he thinks neceſſary, and offers to deliver him from the dangers which he ſees in this bill. But, my Lords, it is time for me to apply myſelf to the real queſtion before the Houſe. And what is this queſtion? It is whether we will conſent to the ſecond reading of the bill; in other words,

whether we will approve and adopt its principle. Now, is the principle of the bill ſuch as is fit to be adopted by this Houſe? eſpecially is it ſuch as can merit the approbation of all the noble Lords and right reverend Prelates who have expreſſed their opinions on the limits within which a ſafe meaſure of reform muſt be bounded? Very far otherwiſe: it is very true that we have not yet very clearly aſcertained what the real principle of the bill is, and to this point I will now beg leave to addreſs my attention. We have been told by the noble earl who moved the ſecond reading of the bill, that the principle of it is declared in the preamble. That preamble ſtates the expediency of taking 'effectual meaſures for correcting divers abuſes that have long prevailed in the choice of members to ſerve in the Commons' Houſe of Parliament, to deprive many inconſiderable places of the right of returning members, to grant ſuch privileges to large, populous, and wealthy towns, to increaſe the number of knights of the ſhire, to extend the elective franchiſe to many of His Majeſty's ſubjects who have not heretofore enjoyed the ſame, and to diminiſh the expenſe of elections.' Now, I certainly think it would be impoſſible for any perſon not previouſly aware of the fact to conceive from this preamble that the bill itſelf would go not only to the abſolute extinction of many rights of repreſentation, not only to the alteration of many others, but to effect a complete and entire change in the whole repreſentative ſyſtem, in the rights of election of every county, city, and borough in England. A change ſuch as this—a change ſo enormous as was never before contemplated—is not to be expected from the preamble of the bill, and if ſo, then I ſay that that preamble does not expreſs the principle of the bill. The real principle of the bill ſeems to me to be a complete change in our repreſentative ſyſtem, except with reſpect to the Univerſities. Such a change has, I repeat, never before been contemplated; in my opinion ſuch a change amounts to ſomething very like revolution, and therefore the principle of the bill ſeems to me to be

revolutionary. I am well aware that the account which I before ſtated has been given of the principle of the bill, not only by the noble earl who introduced it, but alſo by a noble earl oppoſite, who ſpoke with ſuch diſtinguiſhed ability and eloquence laſt night (the Earl of Harrowby). That noble earl has likewiſe given you another principle of the bill; he has told your lordſhips that 'if you agree to the ſecond reading of this bill'—in other words, if you acknowledge the principle of it—'you will admit that ſome conſiderable reform is required in the Commons' Houſe of Parliament.' But, my Lords, though we have this very high authority for the ſtatement that ſuch is the principle of the meaſure, I cannot forget that we have had other principles attributed to it by the noble earl himſelf. I am far from wiſhing to taunt that noble earl with inconſiſtency in his views and conduct, in reſpect to this queſtion, at different times; for I do not think it matter of blame that man ſhould be inconſiſtent with himſelf with reſpect to ſo vaſt a ſubject. A queſtion of this kind involves ſo many conſiderations, it muſt appear at different times in ſo many different lights to the ſame man, that a change in his opinions is not to be wondered at. I fully believe that nothing but the conviction of the wiſdom and neceſſity of aſſenting now to this very ſame meaſure, which the noble earl ſix months ſince thought it wiſe and neceſſary to oppoſe, could have induced the noble earl to give it his ſupport. But while I fully admit that voting differently at different times, with regard to queſtions of this nature, does not neceſſarily imply blameable inconſiſtency, I am ſure that the noble earl will, on his part, admit that (though a different line of action may be now neceſſary in reſpect to this bill, though he may now feel it his duty to ſupport the ſecond reading which he then oppoſed), yet what he expreſſed of the principle of the bill on the 4th of October laſt, in oppoſing it, cannot be leſs applicable to it this night, when he thinks it proper to give it his ſupport. In ſhort, my Lords, truth and reaſon will ſtand ſtill even though the noble earl may

have felt it neceſſary to turn round. Now, in opening this morning the ſpeech delivered by the noble earl laſt October, in oppoſition to this meaſure, the firſt ſentence that my eye fell upon was the following:—'The principle and object of this bill are to make the Conſtitution more democratic. Look to the conſequences of doing ſo.' Again, in another place:—'I am obliged to oppoſe this bill, as I conſider it a change which muſt inevitably lead to all other changes.' And, in a third inſtance, he ſays,—'I think that much of the power of a government may reſt in the confidence of the people; and if that confidence be ſhaken, be the government in reality good or bad, it is the intereſt and the duty of the government to take ſuch reaſonable meaſures as ſuggeſt themſelves to recover that confidence, and to aſſure its continuance. That, however, is not to be done by changing at once the whole conſtitution of the Houſe of Commons.' Here, my Lords, is the deſcription given by the noble earl of the principle of the bill in October laſt: it is 'to make the Conſtitution more democratic;' it is to effect 'a change which muſt neceſſarily lead to all other changes;' it is 'to change at once the whole conſtitution of the Houſe of Commons.' And if this was its principle then, it is not leſs its principle now. I aſſent moſt completely to this view of the principle, and therefore I ſhall vote againſt the ſecond reading of the bill. My Lords, I have already ſaid that I regard this meaſure as revolutionary. I know that the noble earl at the head of the Government has repelled this charge againſt the meaſure with indignation. I am glad that it was thought a charge, and that it was ſo anſwered; for I ſhould think it very frightful if the noble earl thought lightly of producing a revolution: but the noble earl took a diſtinction which he thought juſtified himſelf. He ſaid that 'that was not a revolution which was not either a change of dynaſty or ſome other change that was wrought, not by the regular powers of the Conſtitution, but by the introduction of ſome force unknown to the Conſtitution.' From the ſilence of the

noble earl I truſt I have quoted his words correctly. But if ſuch are the noble earl's notions of revolution, they are very different from mine.

"According to thoſe notions it follows that no revolution occurred in France before the year 1792, and not until Louis XVI. fled from Paris; for up to that period, vaſt as were the changes that took place, all or almoſt all were brought about under the forms of law, and by the regular powers of the Conſtitution. ('No, no!') I truſt that noble lords will have the goodneſs to correct me hereafter if I am wrong. Meanwhile I perſiſt in my aſſertion, and I believe that it will hardly be diſputed that every portion of the French Revolution up to June, 1792—everything that was done before that period in the way of deſtroying the ancient inſtitutions of the country—was done under the forms of the Conſtitution, and by the regularly conſtituted powers of the Government of that country. Now, let us ſuppoſe for a moment that in this country a vaſt change was introduced by both Houſes of Parliament, and ſanctioned by the King—a change which went to deſtroy the preſent exiſting ſyſtem altogether. Let us ſuppoſe, for inſtance, that the two Houſes of Parliament were baſe enough to paſs a bill to which the Sovereign gave his aſſent, making all the proclamations of the King equivalent to Acts of Parliament. Would it be ſaid, if ſuch a thing as this ſhould be done, that it would not amount to a revolution? And yet it would be a change accompliſhed under the regular forms of the Conſtitution, and ſanctioned by the conſtituted authorities of the State. We might ſuppoſe alſo a contrary caſe. Let us ſuppoſe that a Sovereign anxious for popularity, and thinking to gratify the wiſhes of his ſubjects, ſhould deſcend from his throne, and with the conſent of Parliament, ſo change all the forms of the Government as to eſtabliſh a republic, or a monarchy which would be one only in name and form, with all the eſſentials of a real republic—this would be a change brought about by the recog-

nized conſtitutional authorities of the land; and yet would any one ſay that ſuch a change would not amount to a complete revolution. But this, it may be ſaid, is putting extreme caſes. Well then, I would put another which a twelvemonth ago we ſhould all have thought an extreme one too—but which after what we have recently heard within theſe twenty-four hours, from a noble baron, may, I fear, be ſo regarded no longer. Let us ſuppoſe, my Lords, that ſome meaſure were deviſed the object of which ſhould be to drown the voice of your lordſhips, and to extinguiſh for ever the independence of this Houſe—let us ſuppoſe this to be done in all due form by the exerciſe of powers fully recognized by law—and thus, my Lords, a third caſe would occur, of which I apprehend moſt of your lordſhips would agree in opinion with me that it amounts to a revolution. (Interruption.) I muſt ſay that it is extremely inconvenient to receive leſſons in this way while I am addreſſing your lordſhips. I am well aware that ſevere leſſons will be read to me by-and-bye—and then I ſhall bear them as I may. Meanwhile I entreat that I may not be interrupted. After all, my Lords, however diſagreeable may be the mention of the word revolution to the ears polite of the noble lords on the bench near me, I muſt remind them that ſome of the chief ſupporters of the bill glory in it, becauſe it is a revolutionary meaſure, and advocate it as ſuch. We all know that the public preſs has given great ſupport to this bill, and we are equally aware that by the public preſs it is hailed as a revolution. In one of the public journals—in a journal conducted with great ability, remarkable for its great information, and diſtinguiſhed for the efficient ſupport which it has given to this meaſure—in that journal I not long ago read the following words, as characterizing the conſtitution of this land, 'That horrid old mockery of a free government which we have hitherto been enduring.' This is the deſcription of the exiſting Conſtitution given in that public journal which has rendered

the moſt powerful ſupport to this meaſure, and which is believed by many to breathe the inſpirations, if not of the Treaſury itſelf, at leaſt of ſome high office or offices of the Government. I do not ſay that this belief is well founded —I do not ſay that I believe it—I only ſay that ſuch a charge has been made, and that it is believed by many to be true. ('It is not true.') I have only ſaid what is believed by many—not that I believe it. This, I repeat, is the deſcription of a Conſtitution—of which Engliſhmen have been wont to be proud—given by one of the ableſt ſupporters of the preſent bill. I find no fault with it, on the contrary I honour the frankneſs of the avowal. To think and ſpeak thus is exactly what might be expected from an honeſt and intelligent advocate of the plan. My Lords, I will not inflict on your lordſhips any eulogy—or rather, I fear, I ſhould ſay any elegy—of mine on our departing Conſtitution, but I will indulge myſelf with ſpeaking of it in the lofty language in which Milton deſcribes a complete and generous education. My Lords, for more ages than I ſhall ſtop to number, the Britiſh conſtitution has 'fitted the people of this land to perform juſtly, ſkilfully and magnanimouſly all the duties both private and public of peace and war.' This in my heart I believe to be true of our preſent conſtitution. Such in my heart I believe the Britiſh conſtitution to be; and believing it to be ſo, no earthly conſideration ſhall induce me, by any vote of mine, to contribute to its deſtruction. I do not mean to go into the details of this bill; I ſhall rather look to its general character—and, looking at it thus, I am ſo forcibly ſtruck by one of the things ſaid of it by the noble earl oppoſite, that I muſt take the liberty of enlarging a little upon it. I allude, my Lords, to that part of the noble earl's former ſpeech in which he ſpoke of the democratic tendency of this meaſure. My Lords, I am not diſpoſed to be making compariſons between the different elements in the exiſting conſtitution; but I have no heſitation in ſaying that I conſider the democratic element the

moſt glorious and the moſt valuable of all. I conſider it to be the perennial ſource of that ſpirit of liberty which is the proudeſt diſtinction of our national character—the boaſt and glory of our country; but while I feel it to be ſo valuable, I at the ſame time feel that it is a principle which peculiarly requires to be reſtrained. Like that element in the phyſical world which it moſt reſembles—the element of fire—it is, while properly tempered and controlled, the moſt genial, the moſt ſalutary, the moſt invigorating, the moſt productive of all good; but like that element, alſo, when left to its own unchecked and uncorrected workings, it becomes the moſt deſtructive and the moſt devaſtating. In the conſtitution, as it at preſent exiſts, I find that the democratic element has ſuch checks and corrections as reduce it to a due temperament, and render it a ſafe and ineſtimable ingredient of the whole. Theſe checks and corrections are found in parts of the Conſtitution which I fairly own at firſt ſight appear to be the leaſt worthy of approbation, and the moſt expoſed to objection. I mean the nomination and cloſe boroughs. They have been called by a noble earl this night—and I do not wiſh to quarrel with the expreſſion—'the rotten parts of the conſtitution.' A great man deceaſed did not regard them in that light; he diſtinguiſhed them by a phraſe certainly not of honour, but one which recognizes their importance and neceſſity—he called them the ſhameful parts of the Conſtitution.

"Such parts of the Conſtitution are not the leaſt neceſſary to the ſoundneſs of the whole; and if thoſe boroughs perform the diſtinctive functions which Mr. Burke ſays they do perform, and for which he valued them; then I contend that they ought not to be got rid of without ſome equivalent check of a more ſeemly character. If that can be done, I ſhall rejoice in their abolition, but, ſeeing no ſuch correctives in the preſent bill, I feel myſelf bound to adhere to the old ſyſtem, or at leaſt not to go ſo far in innovation as is propoſed in the meaſure before the Houſe. In connection with this part of the ſubject, there is one point to which I beg

leave to recall your lordſhips' attention. We have heard much of uſurpations on the rights of the people; uſurpations that have been committed either by members of this Houſe, or by other wealthy proprietors. It is ſaid that ſome of your lordſhips have, in fact, uſurped a power over the repreſentation which particularly belonged to the people. That this has, in ſome inſtances, occurred, I readily admit: that it has occurred ſo often as is charged, I muſt beg leave reſpectfully to deny. There is no period, I will venture to ſay, in the ancient hiſtory of the Parliament of this country in which it has not been the practice of the Government to create boroughs which ſhould abſolutely be in the nomination of great proprietors. I believe I may ſay, with truth, that all thoſe boroughs, the franchiſe of which is burgage-tenure, are of this deſcription. Now when theſe uſurpations on the rights of the people are charged upon members of the Houſe and upon the great proprietors, I beg to be permitted to aſk, whether there has been no uſurpation on the part of the people on the rights of the Parliament? There has been one gigantic uſurpation, in compariſon with which all others ſink into inſignificance,—I mean the publicity which is given to the proceedings of Parliament by the printing of the debates in both Houſes. This uſurpation upon the privileges of both Houſes of Parliament is far greater, and far more important in its operation, than all thoſe ten-times-told which have been charged againſt any of your lordſhips, or any other great proprietors, as regards any interference in the election of repreſentatives of the Commons in Parliament. Nothing, I apprehend, can be more certain than that, by the letter and ſpirit of the Conſtitution of this country, the proceedings in the two Houſes of Parliament are to be free from all influence from without, and, therefore, it is that we are preſumed to be now diſcuſſing this queſtion with cloſed doors. Do I lament that the practice has been changed? Far from it: I think that the publicity given to our proceedings is the moſt wholeſome

meaſure that could have been adopted. I think it the beſt and moſt complete Reform of Parliament ever deviſed; becauſe, I think that no greater ſecurity can be given for the purity of conduct of both Houſes than that all we do, and all we ſay, ſhould be known to the whole world. Thus it has happened, that while the people have not ſo large a direct influence on the proceedings of Parliament, as a leſs reſtrained ſyſtem of repreſentation might afford them, ſtill everything is done to give them a real and efficient influence. But if in order to correct the exceſs of the power of the members of this Houſe, or of other great proprietors, over the repreſentation—if, in order to correct this exceſs, a new meaſure were introduced, which would aboliſh the balance hitherto maintained—which would deſtroy altogether the influence of peers and great proprietors over the Conſtitution of the other Houſe, making all elections popular—but which, at the ſame time, would allow the publication of the proceedings of the Parliament to be continued—if, I ſay, to correct the exceſs complained of, ſuch a courſe were adopted, then would the democratic element of the Conſtitution obtain ſo vaſt and overwhelming preponderance, that everything elſe muſt give way to it; and it would be impoſſible to carry on any regular ſyſtem of government. In ſhort, my Lords, thinking, as I do, that it is neceſſary, as the beſt protection of the purity of our own proceedings, and for the ſatisfaction of the people, that acceſs ſhould be had, not only to the votes, but to the debates of Parliament, I could never conſent to any meaſure which could exclude the public from theſe walls. But then, I muſt inſiſt on the neceſſity of bearing this important conſideration in mind—when we are meditating Reform, when we are diſcuſſing what ſhall be the new Conſtitution of the country; and we ſhould take care, while we permit the people irregularly to avail themſelves of an advantage of the moſt important kind, not ſo to increaſe their regular power, as muſt poſitively overwhelm the monarchical and ariſtocratical elements of the Conſtitu-

tion. My Lords, there is one part of the ſubject to which I beg leave to thank the noble baron who ſpoke with ſuch extraordinary ability and eloquence two nights ago (Lord Ellenborough), and alſo the noble earl at the table (the Earl of Falmouth), for having directed our attention—I mean the connection of this bill with that for the reform of the repreſentation of Ireland. As the noble earl well and truly ſaid, the preſent meaſure, and the two bills now before the other Houſe, muſt be conſidered as parts and parcels of the ſame meaſure. They are integral parts of one whole, and I am quite ſure that none of your lordſhips would aſk me to conſider them ſeparately, or would ſuppoſe that I am guilty of any irregularity in alluding to the Iriſh meaſure of Reform, although that meaſure is not yet before us, and in ſpeaking of it and of the Engliſh bill, as one and the ſame conjoint meaſure. I ſay this the more confidently, becauſe I have the example and the authority of the noble earl at the head of the Government for ſo doing; for the noble earl, in ſubmitting this meaſure to the Houſe, ſpoke of the Iriſh bill, and told us what was the number of additional repreſentatives which it was propoſed to give to Ireland. Now, of courſe, the noble earl could only have done this from recognizing its connection with the preſent meaſure. Sanctioned then by this authority, and following the courſe of the noble earl, I ſhall not ſcruple to make one or two remarks upon the bill for Ireland, as taken in connection with that now before the Houſe. In the firſt place, then, if the Iriſh bill ſhould be carried, what will become of the repreſentation of the Iriſh boroughs? It will be taken from the Proteſtant influence and conferred upon the Roman Catholic population. Can your lordſhips conceive a greater change—a more important change—a more fearful change? It appears to me to be the more formidable, becauſe I cannot diſguiſe from myſelf that it is only one part of that ſyſtem, which, unhappily of late, has been too much practiſed, of truckling to the Roman Catholics of Ireland I

ſee that, on every occaſion, there is a readineſs to yield the moſt high and ſacred conſiderations connected with the religion of that country to temporal—nay, to temporary expediency. Expediency! My Lords: it is not expediency. The thing is as miſerable in policy as it is indefenſible in principle. It is a mere huckſtering of pure religion for the brief, the hollow, the worthleſs ſupport of men whom no conceſſions can win—who laugh at your bribes, and jeer at your elaborate and unwearied efforts to cocker, and ſoothe, and pamper them,—of men who no longer deign even to wear the maſk of a decent hypocriſy, who proclaim their hopes—rather I ſhould ſay their triumphs—of men who even now boaſt—and chuckle while they boaſt—that the oath they have taken, not to uſe the power which a too-confiding legiſlature gave them 'to weaken or diſturb the Proteſtant government, or Proteſtant religion of the country'—admits of an explanation, which makes it a key—a pick-lock—with which they may open to themſelves, at once, both the citadel and the temple of our Sion. My Lords, I ſpeak not of viſionary dangers, or matters of diſtant and doubtful ſpeculation. Already the days of the Iriſh branch of the Proteſtant Church are numbered. The very month of its deſtruction has been openly, oſtentatiouſly, authoritatively proclaimed. It has been declared that a general election will take place in November next, and at that general election the giant-ſpirit of democracy will riſe in all its might, and cruſh the Proteſtant Church of Ireland to the duſt. This high purpoſe has been proclaimed—not by ſome mad fanatic at the Rotunda in Dublin—not by ſome artful demagogue, or unprincipled agitator, ſeeking to inflame the paſſions of the mob, for the advancement of the ſordid views of his own miſerable ambition, or more miſerable avarice. No! it has been proclaimed by a Britiſh ſenator, in a place ſecond in dignity only to the aſſembly which I have now the honour of addreſſing, by a man of genius and of eloquence, by a man who was not long ago ſelected by the Lord-Lieu-

tenant of Ireland—aye, and not unworthy on many accounts to be ſo ſelected—to repreſent the principles of that noble lord in Parliament. This gentleman, my Lords, whoſe fortunes and whoſe principles alike place him above the temptations of ſordid lucre, and whoſe high faculties—for he has very high faculties—had found a full and adequate object of their ambition in the peaceful honours of the ſenate and of the bar—this gentleman, after having laid down all hoſtility to our Church—after having ſolemnly, and I doubt not ſincerely, pledged himſelf to promote with all his powers the common peace and common ſecurity of all his countrymen—has been forced and goaded by the meaſure on which we are this night to decide, to abandon that peaceful courſe—to reſume the poſt and attitude of combat, to arm himſelf in the cauſe of his Church—his now, as it is fondly deemed, triumphant Church. And while his better feelings recoil at the work before him, while he vainly ſtruggles againſt the chain which binds him, he is compelled again to take the impulſe of all his public conduct from the mandate of his ſpiritual taſkmaſter. In relation to this part of the queſtion—I mean the Iriſh meaſure of Reform—there is a matter which I beg leave very earneſtly to lay before your lordſhips—I mean the origin of the ſyſtem of repreſentation in Ireland. I am perſuaded that it is not unknown to any of your lordſhips that the repreſentative ſyſtem in Ireland owes its origin to King James I. He eſtabliſhed that ſyſtem, not as an equal ſyſtem, but avowedly as unequal. The circumſtances of Ireland—its condition—the relation in which it ſtood towards this country—forbade the introduction of an impartial ſyſtem of repreſentation ſimilar to our own. The ſyſtem eſtabliſhed by King James I. was formed for a ſmall band of Engliſhmen ſettled in the midſt of a hoſtile population—a population oppoſed to them in all that related to civil rights, as well as to religious feelings. Under ſuch circumſtances, King James I. felt that it was impoſſible that anything like a regular government could be kept up in that

country, unleſs either the Roman Catholic natives were treated as ſlaves, or the Proteſtant ſettler had a predominant power in Parliament. For this reaſon he openly avowed in the proclamation which he ſet forth at the time, and by which he created a large number of boroughs in Ireland, and divided ſome of the provinces into new counties, that his object in doing ſo was to eſtabliſh a ſyſtem by which the Proteſtant intereſt and the Proteſtant Church of Ireland ſhould be ſecured. Such, my Lords, was the policy of James—ſuch the foundation of the repreſentative ſyſtem of Ireland. Within our recollection two epochs have occurred, at which the repreſentation of that country has undergone conſiderable change. I mean the Legiſlative Union of Ireland with this country, and the recent ſettlement of the queſtion with reſpect to the diſabilities of the Roman Catholics. On both thoſe occaſions it was decided that the Proteſtant intereſt in the repreſentation of boroughs ſhould be retained. In the words of the Treaty of Union, the maintenance of the Proteſtant Church was conſidered as an eſſential and fundamental principle in the government of the country. For that reaſon, it was ſtipulated that certain boroughs ſhould be retained, and the corporations of thoſe boroughs were continued in the ſtate in which they were, under their ancient charters, for the very purpoſe of ſecuring the Proteſtant intereſt. In the meaſure adopted three years ago—the meaſure for the emancipation of the Roman Catholics—that part of the Proteſtant ſecurity was left untouched. It was ſtated by the noble duke, in bringing that meaſure forward, as a thing abſolutely eſſential to the good faith of this country—to the good faith of a Proteſtant government dealing with Proteſtant intereſts—that in making the change which he propoſed, the Proteſtant boroughs of Ireland ſhould be continued in their exiſting ſtate. Is there, then, one of your lordſhips who, if told at that time, that within three years it would be propoſed to do away with this ſecurity which was then ſo ſedulouſly and

carefully preſerved—is there, I aſk, one of your lordſhips who would not have ſcouted the idea? And yet, it is ſo propoſed in the meaſure now before us—a meaſure, the principle of which has received the aſſent of many noble lords, who, I believe, are as firmly attached to the Proteſtant intereſts as myſelf—which has received the aſſent, too, of ſome of my right rev. brethren. Now, I confeſs, that this has ſomewhat aſtoniſhed me, becauſe it is impoſſible, I think, for any man not to be aware of the connection between the Engliſh and Iriſh Reform bills, and, conſequently, of the reſults which muſt follow the adoption of the firſt. I do not wiſh to ſtate this too ſtrongly, but, I ſhould be wanting to the duty which I owe to the Church, in which I bear ſo high an office, if I did not further ſtate that there is ſomething in this queſtion of a very peculiar intereſt as reſpects the higheſt individual in the realm. To the ſecurity of the Proteſtant intereſts—to the ſecurity of the Proteſtant Church—it is not only our duty, as members of the Britiſh Parliament, to pay particular attention, but it is alſo the particular duty of the Sovereign himſelf. In diſcuſſing this ſubject we muſt not forget that, by the oath which ſealed the compact between the Sovereign and the people, and which we had all the happineſs of ſeeing his preſent gracious Majeſty take with ſuch intereſting and impoſing ceremonies, a few months ago—you muſt not forget, I ſay, that, by that oath, the Sovereign bound himſelf to maintain, to the utmoſt of his power, the true profeſſion of the Goſpel and the Proteſtant reformed religion as by law eſtabliſhed within theſe realms. Looking upon the ſubject in this light, I wiſh to put it to the noble lords who ſit on the bench near me—not in a tone of defiance (which would ill become me), nor in the ſpirit of defiance (which I hope does not belong to me)—but calmly, and with a deep ſenſe of its overwhelming importance, I wiſh to aſk thoſe noble lords whether they can conceal from themſelves, on due conſideration, that the

plain, ſimple, indiſputable meaning of this oath, muſt prevent the Sovereign from conſenting to extinguiſh the Proteſtant power, which is retained in the exiſting Corporations in Ireland. I put this, I ſay, to the conſideration of thoſe noble lords. But I muſt beg leave to remind the Houſe that Miniſters are not the only reſponſible perſons on this occaſion, I muſt be permitted to remind your lordſhips that each and every one of you is equally bound, not only not to lend himſelf to a meaſure of this ſort, but not to aid in forcing it upon the counſels of the Sovereign. If I ſay this to the Houſe at large, what muſt I ſay to my right rev. brethren in particular? Will they—will any man among them, if he really thinks that I have fairly ſtated the caſe—will he venture to ſanction, by his vote this night, ſuch a meaſure as this before us? I am ſure that not one of my reverend brethren will do ſo. I am ſure that, whatever pledges they may have given, they will ſee that no pledge can relieve them from the ſolemn duty of protecting the Sovereign's oath, and the intereſts of the Proteſtant Church. Having had this matter brought before their minds—even in the poor way in which it has been laid before them by myſelf—if, after this, they ſupport the bill, they will do ſo, I am ſure, becauſe they do not ſee the caſe, as I moſt conſcientiouſly avow that it is ſeen by me. Nothing, I am confident, could prevail on them to vote for this bill, if they thought as I think, that by voting for it they will ſacrifice one great ſecurity of the Proteſtant cauſe in Ireland. I have already treſpaſſed at too great a length upon your lordſhips' time: I haſten, therefore, to conclude. My Lords, it is with no ordinary feeling that I find myſelf ſpeaking upon this ſubject in this the moſt auguſt aſſembly in the world—aye, I repeat it,—in this the moſt auguſt aſſembly in the world. Such this Houſe for centuries has been—ſuch it ſtill is—ſuch let us hope it may long continue to be. God grant that it may: for if it ſhould ever ceaſe to be the moſt auguſt aſſembly in the world, it will become the moſt degraded. And why,

my Lords, will this be? becauſe, if this Houſe ſhall fall from its proud eminence, it will fall, not by violence, from without; for, notwithſtanding all that has been ſaid or done, the people of this country will never be ſo falſe to their own intereſts as to be wanting in reſpectful attachment to you, if you are not wanting to yourſelves and them. No, my Lords, if this Houſe ſhall fall from its palmy ſtate it will fall by corruption within. It will fall by the folly, or the guilt, by the cowardice or the treachery of ſome, if there ſhall be any ſuch, of its own degenerate members. My Lords, it has been ordained by a ſevere but moſt merciful diſpenſation, that thoſe to whom great intereſts are intruſted cannot be falſe to thoſe intereſts without drawing down a full meaſure of righteous retribution on their own heads. My Lords, to you the guardianſhip of the Britiſh Conſtitution—that Conſtitution which, for at leaſt 800 years has foſtered, nurſed, matured, and conſolidated, the liberties and the happineſs of this much favoured people—to you the guardianſhip of that Conſtitution has been mainly conſigned, to your fidelity, to your prudence, to your firmneſs. My Lords, if it fall, you will not only fall with it, but you will be ground to duſt beneath its ruins. May He Who has appointed you to your high place enable you to fill it as you ought! In this great criſis (for ſo we all feel it to be), in this agony of our country's fate—may He give you wiſdom to ſee, and fortitude to purſue, ſteadily and fearleſsly, that only path which can lead to honour or to ſafety—the path of duty. True, my Lords, that path is beſet with difficulties and with dangers; clouds and thickeſt darkneſs reſt upon it; but one thing is clear, is right, and one thing only—to walk uprightly is within your own power. As for conſequences, they are in the power of God. Will you diſtruſt that power? My Lords, you will not."

It was felt on all ſides that this ſpeech was a maſterpiece of eloquence, and people were loud in its praiſe.

Not the leaſt remarkable part of it is the reſiſtleſs way in which the biſhop turned back the cry of invaſion of rights, ſo often raiſed by the lower againſt the higher orders againſt themſelves, when he ſhowed the importance of the publication of Parliamentary Debates, which had been tacitly ceded. This is a compenſating element in the Conſtitution which has not always received the attention which it deſerves. It has grown, however, with the growth of the country itſelf; and, upon the whole, its influence has been for good, for it muſt be admitted that in the communication of the tranſactions of the Houſes of Parliament the editors of public journals have uſually been guided by the ſtricteſt impartiality. The publicity given to all queſtions, and eſpecially to great meaſures of finance, has in modern times been the principal, if not the ſole means of reconciling the nation to a weight of taxes which might otherwiſe have excited it to diſcontent and even rebellion. Would it now be endured that the country ſhould be deprived of that information which it is moſt alive to be poſſeſſed of, and that it ſhould be kept in ignorance of what Parliament was doing at the moſt critical moments of its exiſtence? And yet, great as is the boon, people ſeem to have forgotten that it *is* a boon, and have come to look upon it as a right. The biſhop, therefore, deſerves our thanks for ſtating it as an element to be conſidered and weighed in ſettling any queſtion of repreſentative reform.

But admirable as was this ſpeech, it nevertheleſs afforded to the enemies of the biſhop an opportunity

of indulging their ſpleen at his expenſe. The *Times* in particular (13th of April) was at great pains to ſhow that his argument drawn from the French Revolution was unſound, and commented with ſeverity on the rebuke adminiſtered to Lord Harrowby for turning round on the queſtion of reform while truth ſtood immoveable.

"It came," ſays the writer, "with an ill grace from this reverend perſonage, who ought to have remembered that on the Catholic queſtion truth was no leſs ſtationary than with regard to Reform, nevertheleſs, there were thoſe who at that period did not ſtand ſtill upon the pedeſtal of truth. Dr. Phillpotts, for inſtance, unleſs we are miſtaken, ſpun *completely* round, and never ceaſed from turning until he ſettled into a biſhop."

On the evening of the 13th the debate was reſumed; and it was upon this occaſion that Lord Durham, the ſon-in-law of the Premier, varied the monotony of the previous proceedings by taking violent exception to a remark which the biſhop had made in the courſe of his ſpeech, to the effect that the *Times* breathed the inſpiration of the Treaſury. Lord Durham aſſumed that he was the perſon pointed at, and referring to the Biſhop of Exeter, expreſſed himſelf with great vehemence, as follows:—

"If coarſe and virulent invective—malignant and falſe inſinuations—the groſſeſt perverſion of hiſtorical facts—decked out with all the choiceſt flowers of his well-known pamphleteering ſlang"—

Lord Winchilſea here roſe to order, deſiring that his lordſhip's words ſhould be taken down; and after ſome

diſcuſſion Lord Durham perſiſted in maintaining that "pamphleteering ſlang" were the only words which he conſidered could correctly deſcribe the ſpeech of the biſhop; a ſomewhat forcible mode of expreſſion, it muſt be admitted, when it is remembered to what aſſembly it was addreſſed, and the office of the perſon to whom it was intended to apply.

"As to the words 'malignant and falſe inſinuations,'" the noble lord continued, "the rev. prelate in the courſe of his harangue inſinuated that ſome of his Majeſty's miniſters were unbecomingly connected with the preſs. From the terms in which that inſinuation was couched, I could have no doubt that he alluded to me. It would be groſs affectation in me to deny it—the more eſpecially as I had been previouſly told by thoſe who had read thoſe papers that the ſame charge had been made againſt me by name, in thoſe weekly publications which are ſo notorious for their ſcurrility and indecency. When, therefore, I found that charge repeated, in this Houſe, in terms which neither I, nor any man living, could miſunderſtand, I determined to take the earlieſt opportunity of ſtating to your lordſhips that it was as falſe as ſcandalous. I now repeat that declaration, and pauſe for the purpoſe of giving any noble lord an opportunity of taking down my words."

After a ſhort interval, Lord Durham proceeded to enlarge upon the merits of the Reform Bill. At the concluſion of his ſpeech, Lord Carnarvon and the Biſhop of Exeter roſe at the ſame time, but there was a general call for the latter to proceed; Lord Carnarvon therefore ſat down, and the biſhop of Exeter ſaid,—

"I have been charged, my Lords, by the noble baron, with having made a malignant and falſe inſinuation. I muſt,

therefore, beg permiſſion of your lordſhips to explain a part of what I ſaid on a former night. As well as I can remember, ſpeaking of the *Times* newſpaper, I ſaid that I ſuppoſed it was in ſome way or other connected with Government. The exact words I uſed are not preſent to my mind, but they were ſomething about certain articles, breathing the inſpiration—not of the Treaſury, becauſe I acquitted the noble lord at the head of it of any connection with the *Times*. (Laughter from the Miniſterial benches.) What I ſay ſeems ſport to noble lords near me, and I hope it will not be thought a very ſerious matter to myſelf When I gave utterance to what has been the ſubject of remark, I by no means meant to fix upon any individual in particular; but in my own mind I did think that the rumours reſpecting the noble baron were not unlikely to be in ſome degree true. (Some noble lords here required the biſhop to ſpeak out.) I will endeavour to ſpeak up, ſo as to be heard, but it is my misfortune not to have many friends near me, excepting the right rev. friends by whom I am ſurrounded. The noble marquis (Clanricarde, it was believed), if he has anything to ſay, ought to ſpeak ſo that I may anſwer him. I aſſure the noble baron that I was not anxious to preſs upon the notice of the Houſe the particular part of my ſpeech which he refers to. I ſpoke generally, becauſe, I fairly own, I had not evidence beyond apparent probability. But while I did not wiſh directly to charge the noble baron, give me leave to ſay, that what I alluded to was not the only occaſion on which there has been an apparent connection between the Government and the newſpapers. One inſtance weighs with me more ſtrongly than it may with the noble marquis. About five or ſix weeks ago—['order, order']—a charge has been made againſt me, and, if not irregular, I wiſh to advert to it. There was a ſtatement in the *Times* newſpaper regarding a correſpondence with the noble duke, whom I ſee oppoſite (the Duke of Buckingham)—I hope he will forgive my ſpeaking of it in this way in his preſence; and it is my earneſt

hope that he will contradict me if I ſtate what is untrue, and correct me if I ſtate what is improper. About the 23rd of January, or ſome ſuch period, there was a direct alluſion in the *Times* to a ſuppoſed correſpondence between that noble duke and his Majeſty, as well as between a noble duke and his Majeſty's ſecretary. The nature of the correſpondence appeared to be ſtated with ſuch particularity, that, if it were at all true, it ſeemed to me that the information muſt have gone to the newſpaper from ſome perſon who had had acceſs to the correſpondence. It ſeemed to me alſo more probable that it ſhould have found its way to the public from ſome member of his Majeſty's Government, than from the noble duke. Moſt certainly, I have no heſitation in ſaying that it does appear to me that it muſt have gone to the newſpapers through ſome perſon who had acceſs to the Government papers."

The Duke of Buckingham then roſe, and fully confirmed the ſtatement of the biſhop, ſaying that in his capacity as a peer of the realm he had written the letter referred to, and had tranſmitted it to the King through his Majeſty's ſecretary, in the uſual and regular way. He further ſtated that he had given no one a copy of that letter, and had only read it to two members of his own family, to the Duke of Wellington, and to one other perſon, and that part of this letter was inſerted *verbatim* in the *Times* newſpaper. This announcement was received with loud and repeated cheers from the oppoſition benches. Earl Grey roſe in the midſt of the tumult—for it was ſcarcely leſs—and, after waiting a ſhort time for a hearing, expreſſed his ſorrow that the debate ſhould have been interrupted by ſuch a diſcuſſion. He then went on to ſay, in language which M. Guizot, when ſpeaking of his treatment

of Canning, has well characterized as "haughty and contemptuous violence," that the fact, as ſtated by the Duke of Buckingham, was perfectly true. The King *had* received the letter, and, acting as a conſtitutional monarch, had ſent the letter to his miniſter.

"I can ſay, upon my honour as a peer," he continued, "that I gave no copy. I certainly did communicate it to my colleagues—it was my duty to do it; and I think I can ſay for them, as I aſſert for myſelf, that it was not from them, nor from any perſon connected with them, that any part of the letter, any alluſion to it, or abſtract of it, found its way into the public papers. No perſon was more aſtoniſhed than I was when I ſaw an alluſion to it. I do not know whether it is neceſſary for me to ſay more upon this ſubject; but I can ſafely ſay that what was printed did not proceed from his Majeſty's adviſers. As a perſon ſtanding in an oſtenſible ſituation in the Government, I diſclaim any connection with any one publication, and I moſt diſtinctly deny that I have done anything to influence a ſingle newſpaper. But the right rev. prelate ſaid, on the former night, that he had heard theſe things, and he believed them; but if I am miſtaken, I beg his pardon."

The Biſhop of Exeter.—"I did not ſay that I believed them, but that they had been believed."

Earl Grey continued:—"That they have been believed. (Great confuſion; cries of 'order' and 'ſpoke.') I certainly underſtood the right rev. prelate to expreſs the impreſſion on his own mind that there was truth in the charge. He has undoubtedly ſaid that there were inſinuations againſt other members of the King's Government, and he added that he had heard a ſtory of my noble friend near me (Lord Durham). Now, mark the charity of the right rev. prelate —I ſay, mark his charity—mark what he does not think improbable! That my noble friend near me, connected with me not only by the bonds of office, but by the neareſt, deareſt,

and cloſeſt ties of relationſhip, has been guilty not merely of fraud, but falſehood, and has ſecretly and inſidiouſly furniſhed newſpapers with the means of attack upon the very Government of which he is a member. That this he was ready to do, and actually did, at the expenſe of tearing aſunder the tendereſt and deareſt ties of affection. If this be charity—if this be the charity of a Chriſtian biſhop, I am much deceived in the true nature of that virtue."

The Biſhop of Exeter then ſaid:—

"I riſe only to explain. I never meant to charge the noble baron with communicating any particulars to the *Times*; but I ſaid that there was an apparent general connection between that paper and the Miniſtry. If a declaration of what was paſſing in the inner mind be extorted from it, it is a little too much to ſay that I meant it for an inſinuation. I declared from the firſt that I did not mean to charge the noble baron with any particulars. Some of my right rev. friends did not even think that I alluded at all to the noble baron."

The Radical portion of the preſs were elated beyond meaſure at what they were pleaſed to conſider the overthrow of the unpopular Biſhop of Exeter. The *Morning Chronicle* ſounded a note of triumph in this way:—

"In the early part of the evening the Biſhop of Exeter was humbled to the duſt. Lord Durham treated him as a calumniator of the firſt magnitude; and the doughty prelate fared ſtill worſe, after his awkward attempt at explanation, from a ſevere caſtigation from Earl Grey. It is much more ſafe to ſlander in a Review, or anonymouſly, than in an aſſembly where the injured can defend themſelves."

But, in ſpite of all this, and much more, *there was the letter*, or, at all events, portions of it, ſo like the

original that Lord Grey himſelf could neither deny the ſimilarity, nor account for its appearance in the *Times*. No parliamentary ſkill could explain away this ugly fact, or even tone it down. There it was, and there it muſt remain—a myſtery. If the Miniſters had been put upon their trial for the publication of the letter, it is certain that any jury would have convicted them; and far wiſer would it have been if they had allowed the biſhop's well-merited rebuke to paſs in ſilence. They had much better not have accepted his challenge. Facts were againſt them, and an ill-judged deſire to clear up that which admitted of no clearing up only threw out their conduct in bolder relief. Every unprejudiced reader, looking at the affair as a queſtion of evidence, will feel convinced that the biſhop had ſufficient grounds for his aſſertion, and that nothing which was ſaid in way of explanation tended in the leaſt degree to alleviate the ſmart of the laſh which he had ſo ſeverely, but juſtly, adminiſtered.

After the ſecond reading of the Reform Bill had been carried, the Duke of Wellington entered a proteſt againſt it on the journals of the Houſe. It was ſubſequently ſigned by the Biſhop of Exeter, and ſeventy-two peers, including the Royal Dukes of Cumberland and Glouceſter.

It may be well thought that the ſtrenuous oppoſition of the biſhop to the Government meaſure of Reform did not increaſe his popularity. Deep and ominous were the murmurs which were heard in his

own dioceſe, while, in the county of Durham, his effigy was publicly burnt with every demonſtration of contempt. But, bitter as was the feeling againſt him, the biſhop was not to be driven from the path of duty by ſigns of popular diſpleaſure, however menacing. He had not feared the angry peers, and he was not likely to fear a diſcontented people. Very ſhortly after the diviſion upon the ſecond reading of the Reform Bill he ſet out for Exeter, and arrived at his palace on the Wedneſday in Holy Week, April the 18th, and, having adminiſtered the rite of Confirmation at Exmouth on the 21ſt, preached the next day (Eaſter Day) in the cathedral to an overflowing congregation. Even his enemies could find no fault with his preaching; and, if they were not conciliated towards the *man*, they could not deny the rare abilities of the *preacher*. Thoſe who heard the biſhop in his prime ſay that there was a quiet dignity about his eloquence which at once arreſted attention, and claimed reſpect, where the higheſt efforts of a more florid orator would have fallen powerleſs. Be this as it may, certain it is that, in the later days of his life, there has ever been a charm about his public addreſſes againſt which it would be hopeleſs to ſtruggle.

Immediately after this the biſhop ſet out on a confirmation tour through the ſouth of Devon, viſiting in turn Dawliſh, Teignmouth, Torre, Paignton, Brixham, Dartmouth, Harberton, Totnes, and Newton. On the 29th of April he held an ordination at Exeter, at which twelve deacons and thirteen prieſts were

ordained; and on the following day he confirmed the large number of 852 perſons in the cathedral. A few days afterwards he left for London to attend Parliament, confirming at Sidmouth and Axminſter on his way.

CHAPTER XXIV.

Reform Meeting at Exeter. Three Groans for the Biſhop. Violent Conduct of the People of Exeter. Miniſterial Plan of Education in Ireland. Uncompromiſing Oppoſition of the Biſhop. Lord Belhaven's Petition. The Biſhop's Remarks upon it. Separation of Religious from Secular Inſtruction denounced. Meaning of Moral Inſtruction. The Biſhop attacked by the Lord Chancellor on the ſubject of the Duke of Buckingham's Letter to the King. Explanations by the Biſhop. Violent Language of Lord Grey. The Biſhop entreats that the Diſcuſſion may not be continued. He revives it himſelf two days later. Imprudence of the Step. He repeats his former Statement, with further Explanations. He maintains that Lord Grey underſtood the Matter in the ſame way as himſelf. Returns to Exeter. Engages a Villa at Teignmouth. Preaches at Wolborough.

THE biſhop had ſcarcely reached London when a large reform meeting was held at Exeter, preſided over by the mayor, at which three hearty groans were given for his lordſhip. This ebullition of feeling is to be aſcribed to the uncompromiſing oppoſition which he had ſhown to "popular" meaſures, and is, upon the whole, to be regarded as an honour. The conduct of the enlightened citizens of Exeter upon this occaſion foreſhadowed their daring profanity in later days, when they ſcrupled not publicly to burn the ſymbol of man's redemption in front of the weſt door of the cathedral, amidſt the plaudits of not a few of the inhabitants whoſe wealth had purchaſed for them the title of reſpectable. The

hiſſes and groans of ſuch a multitude would ever be more melodious to the ears of a good man than their heartieſt cheers.

The miniſterial plan of education in Ireland ſtill continued to occupy as large a ſhare of public attention as could be ſpared from the all-abſorbing queſtion of reform. Numerous petitions were preſented to Parliament againſt it, and the biſhop was ever in his place ready to reſiſt the progreſs of the meaſure, and to expoſe its perilous character.

On May the 24th and June the 2nd the preſentation of petitions afforded him the opportunity of making a few obſervations; and on July the 3rd, when Lord Belhaven preſented a petition from the General Aſſembly of the Kirk of Scotland, ſtating their approval of the national plan of education adopted by the Government for the inſtruction, as well religious as otherwiſe, of the poorer claſſes of Ireland, both Proteſtants and Roman Catholics, the biſhop roſe and made ſome powerful remarks upon the unſatisfactory way in which the petition had been drawn up, alleging that it had been adopted in error, and did not do juſtice to the feelings of the General Aſſembly. Speaking of the propoſal for ſeparating religious from ſecular inſtruction, he denounced it as a tremendous ſymptom of the times, when a national ſyſtem of education could be founded upon a plan of ſeparating the literary, and even the moral, inſtruction of the people from a knowledge of their religious obligations. In his eſtimation, moral inſtruction not only ought to impart a knowledge

of every man's duty to his fellow-beings in this world, but a deep feeling as well as a knowledge of his relation to the Supreme Being, and of his hopes of a future ſtate. And could any ſuch inſtruction be true, he demanded, which was not founded upon the baſis of God's Word—upon the baſis of the Will of the Supreme Being? And where could this be known if inſtructors would not look at the Word of God, with which He had inſpired the holy men of old?

This debate was remarkable for an attack upon the biſhop by the Lord Chancellor, who thought this a ſuitable opportunity for reviving the ſtory of the Duke of Buckingham's Letter to the King.* What this had to do with the matter in hand it would be hard to ſay; but it is a plain evidence of the uncomfortable feelings which had taken poſſeſſion of the miniſters, and of their deſire to clear themſelves from an irritating imputation by heaping abuſe upon an adverſary who had proved too ſtrong for them. Several peers took part in the diſcuſſion which followed, and the biſhop repeated what he had previouſly ſtated, viz. that he had never ſaid that he believed it himſelf, but he had ſaid that it was believed by other perſons that there was a connection between the *Times* and the Government, and that the belief gave to the opinions expreſſed in that paper a peculiar weight. So little was Lord Grey ſatisfied with this ſtatement, that he immediately roſe and ſaid that "all the venom went

* See page 392.

forth with the thin veil which the right rev. Prelate cautiouſly ſpread over it." He concluded by ſaying that he felt only diſguſt at the time, and now he felt nothing but contempt. It muſt be confeſſed that this is ſtrong language—ſtronger indeed than is uſually applied to any member of the Epiſcopal Bench—ſtronger probably than Lord Grey would have thought it ſafe to apply to a layman. But ſome allowance muſt be made for heated feelings, and the unſatisfactory poſition in which the Government was placed. The Marquis of Saliſbury called upon the Houſe to take notice of the terms which had been uſed; but the biſhop entreated that the diſcuſſion might not be purſued any further, expreſſing his regret that he had been the cauſe of raiſing the excitement. Whether his public life had been ſuch as to juſtify the expreſſion of contempt on the part of Lord Grey, he was contented to leave to thoſe who had obſerved his conduct. He would ſay nothing further than that he truſted to his character to protect him againſt ſuch a remark.

This unſeemly diſcuſſion was then allowed to drop.

Two days afterwards, however (July the 5th), it was revived by the biſhop himſelf, who, on preſenting a petition from the archdeacon and clergy of the Archdeaconry of Totnes, againſt the Government ſyſtem of education in Ireland, took occaſion to refer to the proceedings of the recent debate, deſiring, as he ſaid, to ſet himſelf right with the Houſe on a matter of fact. Conſidering the ſtate of feeling ſo recently exhibited by the prime miniſter as well as by other members of

the Government on this irritating queſtion, moſt people will think that it would have been prudent in the biſhop not to have provoked further diſcuſſion, more particularly as the matter was evidently beyond the hope of amicable adjuſtment. It ſeemed to him, however, that his character required that certain explanations ſhould be made, and, therefore, in a manly and ſtraightforward way, he came forward to make them. All muſt admire his candour, though they may queſtion his taſte. He denied that he had ever ſtated that the letter of the Duke of Buckingham to the King had been publiſhed in the *Times*. He merely ſtated that the letter in queſtion had been alluded to in that newſpaper. He underſtood that his ſtatement had been publiſhed, and had excited conſiderable diſcuſſion in the newſpapers at the time; but as he had, immediately after making it, gone into the country to attend to the diſcharge of his epiſcopal duties, it ſo happened that he had not read any report of what he had then ſaid, until within the laſt few days, when, on referring to the ordinary records, he found the following words attributed to him on that occaſion:—

"About the 23rd of January, or ſome ſuch period, there was a direct alluſion in the *Times* to a ſuppoſed correſpondence between the noble duke (Buckingham) whom I have now the happineſs to ſee in his place, and his Majeſty, as well as between a noble duke and his Majeſty's ſecretary."

It appeared, therefore, he continued, that all he had then ſaid was that there had been an alluſion made in

the *Times* to the noble duke's letter. It would ſeem, indeed, from what then fell from the noble earl at the head of his Majeſty's Government (Earl Grey), that the ſame notion which he entertained was alſo paſſing through his lordſhip's mind, for he was reported to have uſed the following words :—

"The noble duke gave no copy of it, and I can ſay, upon my honour as a peer, that I gave none. I certainly did communicate it to my colleagues: it was my duty to do it; and I think I can ſay for them, as I aſſert for myſelf, that it was not from them, nor from any perſon connected with them, that any part of the letter, any alluſion to it, or abſtract of it, found its way into the public papers. No perſon was more aſtoniſhed than I was when I ſaw it. I do not know whether it is neceſſary for me to ſay more upon this ſubject, but I can ſafely ſay that what was printed did not proceed from his Majeſty's adviſers."

It was plain from this, the biſhop argued, that Lord Grey underſtood the matter in the ſame way that he himſelf did at the time. From the noble earl's ſilence it is to be preſumed that he thought it diſcreet not to enter into further controverſy with the biſhop, for, after ſome remarks by the Marquis of Londonderry and Viſcount Melbourne, the ſubject was allowed to drop.

A few days after this the biſhop returned to Exeter (July the 10th), confirming at Honiton on his way; and a little later he proceeded to Teignmouth—an attractive watering-place on the ſouth coaſt of Devon, about fifteen miles from Exeter, where a pretty villa had been engaged for his reception. On the laſt

Sunday in the month he preached at Wolborough, near Newton Abbott, on behalf of the National School, and a very impreſſive ſermon was reſponded to by a liberal collection. While reſiding at Teignmouth the living of Pinhoe near Exeter fell to his gift, and he beſtowed it (20th of July) on the Rev. Dacres Adams.

CHAPTER XXV.

Appearance of the Cholera in Exeter. Diſgraceful Condition of the Principal Cemetery. The Order in Council for providing Special Burial-grounds not applicable to Exeter. Offer of a Field on S. David's Hill for Interment of Cholera Patients. Diſſatisfaction of the Pariſhioners. Shocking Scene at a Funeral. Committee appointed to ſelect a ſuitable Spot. The Biſhop applied to for his Licence. His Reply. Much Time loſt. The Biſhop unjuſtly blamed for the Delay. Bury Meadow appropriated as a Cholera Burying-ground. The Biſhop grants his Licence. A Day for Prayer and Humiliation appointed. Special Service at the Cathedral. The Cholera abates. A Day appointed for Thankſgiving. The Biſhop preaches at the Cathedral. Meeting at the Guildhall to preſent a Teſtimonial to the Medical Men. The Biſhop propoſes the Reſolutions. His high Praiſe of the Conduct of the Medical Men. Cenſured for having been abſent from Exeter during Ravages of the Cholera. His Abſence explained.

THE cholera, which had been devaſtating other parts of England, broke out in Exeter on the 19th of July (1831). Its appearance found the good city unprepared to receive it, and great was the conſternation when it became known that the plague had actually begun. The principal cemetery had long been a diſgrace to the municipal authorities, being in cloſe proximity to a crowded part of the town, and ſurrounded with houſes. It was totally incapable of anſwering the demands which were about to be made upon it. An Order in Council had empowered pariſhes to provide

private burial-grounds for thoſe who died of cholera, but unfortunately this could not be made applicable to Exeter. Towards the end of July a remonſtrance was addreſſed to the Board of Health againſt any further burials taking place in the cemetery (Bartholomew Yard). Meanwhile the corporation of the poor had generouſly offered a portion of Bury Meadow for the burial of cholera patients. This was a field ſituate on S. David's Hill, and tolerably remote from any dwelling-houſe. But if the reſt of the city were ſatisfied with this arrangement, the pariſhioners of S. David's were not diſpoſed ſo eaſily to acquieſce. It was bringing the peſtilence too near to their own doors, they thought; and ſo when a corpſe was about to be interred there they roſe in tumult and prevented the burial. The ſexton took to his heels, and a ſtrong party remained cloſe at hand during the night to reſiſt any further attempt at interment.

The ſelection of an appropriate ſpot for burials then became a ſerious queſtion. A cemetery committee was appointed, and after examining various ſites they came to the concluſion that no ſpot was ſo favourable as Bury Meadow. To enable the clergy to perform funerals there it was neceſſary that it ſhould be licenſed by the biſhop. A deputation was therefore appointed to wait upon his lordſhip; to which he returned the following reply:—

"Brideſtowe, 12th Auguſt, 1832.

"The Biſhop of Exeter having this day received a communication from the Mayor of Exeter, in perſon, as chair-

man of the Board of Health, attended by Mr. Pearſe, a member of the Board, and by Mr. Dymond, with a plan of the ground propoſed to be aſſigned as a cemetery for the interment of the bodies of perſons who have died of cholera, has given immediate attention to the circumſtances of the caſe, and has no difficulty or heſitation in ſaying that, ſuppoſing theſe circumſtances to have been accurately repreſented in the plan and meaſurements ſubmitted to him, he will have real gratification in granting his licence for the purpoſe.

"The circumſtances which have induced him to come to this deciſion are, that no footpath traverſes the piece of land propoſed; that, on the contrary, the path, at the neareſt point, is diſtant 180 or 200 feet, or thereabouts; that only one houſe is in the neighbourhood, and that at a diſtance of more than 500 feet; that S. David's Church is at about the ſame diſtance; that the land may be approached by a road of little traffic, and not actually contiguous to it, but nearly 100 feet diſtant from it.

"If theſe particulars are as deſcribed, the place ſeems to the biſhop as little liable to reaſonable objection as can be hoped. He will, therefore, grant his licence, unleſs theſe particulars be diſproved, or other objections of real weight ſtated, which do not occur to his mind at preſent.

"His neceſſary abſence from Exeter, and his frequent change of ſtation in the courſe of the next few days,* will cauſe delay in preparing the inſtruments and ſubmitting them for his ſignature. Meanwhile, he cannot wiſh the uſe of the ground to be delayed. Thoſe, therefore, of the clergy of Exeter whoſe pariſhioners may need their ſervice on this melancholy occaſion, will not incur any cenſure from him if they immediately bury corpſes in this ground, unleſs they are ſatisfied that the facts of the caſe are not ſuch as have been ſtated above.

"The biſhop depends on the mayor having the good-

* He was on a Confirmation tour.

neſs to make an immediate communication of the contents of this paper to the miniſter and churchwardens of S. David's, in order that an immediate opportunity may be afforded to them to ſtate any objections, or make any obſervations, which they may wiſh, before the licence iſſues. The movements of the biſhop may be known by conſulting the paragraphs of the newſpapers, which ſtate his route. He purpoſes being at Teignmouth on Thurſday evening the 16th inſtant."

A compariſon of the date of this letter with the breaking out of the peſtilence in Exeter (19th July) will ſhow that much valuable time had been loſt. Meanwhile, the ſtate of the cemetery had become appalling. It was moſt ungenerous and unjuſtifiable, however, to faſten the blame of this delay upon the biſhop, as a portion of the preſs endeavoured to do. As ſoon as the application was made to him he reſponded to it. And what more could he do? If the inhabitants of Exeter were ſo little alive to their own intereſts as to ſpend a whole month in quarrelling over the ſelection of a burial-ground, while the cholera was raging with fearful violence among them, the fault was all their own, and they had no right to complain if they paid the penalty of their procraſtination.

A few days after the receipt of the biſhop's letter Bury Meadow was appropriated by the corporation of the poor to be a cholera burying-ground for ten years from the date of the laſt interment. The pariſhioners of S. David's were ſtill diſſatisfied with the arrangement, and a deputation was appointed to wait upon

the biſhop, in the hope that he might be induced to withhold his licence. It was plain, however, that their complaints were frivolous, and that ſimilar objections might be raiſed againſt nearly every other ſpot of land in the neighbourhood of the town; the biſhop, therefore, cauſed his licence to iſſue on the 17th of Auguſt.

Meanwhile the peſtilence was increaſing in violence; drunkenneſs and the moſt revolting profligacy among the poorer claſſes only too ſurely preparing its way. It was under circumſtances of almoſt univerſal deſolation, when men's hearts were failing them for fear, that Wedneſday, Auguſt the 22nd, was appointed for ſpecial prayer and humiliation. The biſhop was abſent from the city, but he arrived the evening previouſly, and after attending the ſpecial ſervice at the cathedral in the morning, left Exeter to reſume his Confirmation tour.

Never, within the memory of the oldeſt inhabitant, had a Sunday been kept with greater ſtrictneſs than the day appointed to ſupplicate God to remove His plague from a repentant people. All worldly buſineſs was, as far as poſſible, ſuſpended. The churches were open morning and evening, and were thronged with devout worſhippers. The mayor and chamber attended the ſpecial ſervice at the cathedral, when an appropriate and impreſſive ſermon was preached by the Rev. Dr. Barnes, Archdeacon of Barnſtaple, from Iſaiah li. 12, 13.

About the middle of September the peſtilence began

to abate, and, on the ſuggeſtion of the biſhop, Thurſday, October the 11th, was ſet apart for the purpoſe of thanking God for removing it from Exeter. The day was obſerved with great ſolemnity. Buſineſs was ſuſpended; public houſes were cloſed; churches were thrown open morning and evening, and a ſpecial ſervice was held in the cathedral, at which the mayor and chamber were preſent, when the biſhop preached from 2 Sam. xxiv. 14 and following. Shortly after this it was determined to offer to the medical gentlemen of the city a tribute of gratitude, in token of the high value ſet upon their ſervices during this trying emergency. A public meeting was accordingly held in the Guildhall, the 22nd of October, the mayor in the chair, for the purpoſe of taking the matter into conſideration.

The biſhop, it appears, had not been informed that the meeting was convened, and only received intelligence of it half an hour before it aſſembled. Determined, however, not to be wanting upon ſuch an occaſion he haſtened to the Guildhall, and arrived in time to propoſe ſome reſolutions, which were unanimouſly adopted. In the courſe of his ſpeech he paid the following well-deſerved tribute to the zeal and energy of the medical men:—

"It is well known that when the fearful diſeaſe firſt made its appearance in this city, the laudable exertions of the medical practitioners were met, from the effect of unhappy prejudice, by the moſt inveterate hoſtility on the part of the poorer claſes; but this unfounded feeling they afterwards deeply lamented, and they will now be enabled, as I am

ſure they are moſt eager to do, to add their teſtimony to that of their fellow-citizens, of the deep ſenſe they entertain of the ſingular ſkill, as well as great attention diſplayed on a moſt trying occaſion by our eſtimable medical practitioners. When the diſeaſe firſt exhibited itſelf in this city, it found us, from its new and formidable character, ſurrounded with many difficulties, calculated to excite great fear and apprehenſion; but the medical gentlemen found the means at once of oppoſing, in a great degree, all the tremendouſly perplexing circumſtances with which we were encompaſſed. Such indeed was their perſevering devotion to the cauſe of ſuffering humanity, that they did not leave their poſt, by day or night, ſo that by their admirable arrangements, no matter what might be the hour, or in what part of the city, whenever an individual, however poor and deſtitute might be his or her condition, was attacked with the ſymptoms of the deſtructive malady, a ſkilful, able, and affectionate attendant was, in a very ſhort ſpace of time, at hand to render all the aſſiſtance which human aid could miniſter; and it muſt be conſidered, that, under the bleſſing of Divine Providence, we owe to the ſkill and ability diſplayed in the ſucceſsful treatment of the diſeaſe, and to the efficient plan adopted for its ſpeedy application, the happy ceſſation of the malady among us. If, then, this city has ever been diſtinguiſhed for medical ſcience, it is not now the leſs diſtinguiſhed by the talents of the members of that honourable profeſſion reſiding within this city, who, without any hope, in numberleſs caſes, of receiving even the miſerable fees to which they are by right entitled, have by overworking the energies of their bodies, as well as the powers of their minds, ſucceeded in arreſting, under Providence, the progreſs of a diſeaſe which threatened no one can tell what extent of deſtruction; and although we cannot look for a perpetual ceſſation of the diſeaſe amongſt us, we have the conſolation of knowing that, ſhould it again appear within our city, it will be met with the ſame ſkill and perſeverance, and with the bleſſing of Providence be again ſubdued. I really feel

that I am doing great injuſtice to the cauſe I have taken in hand; but I truſt this will, in ſome meaſure, be attributed to the very ſhort period of time that has elapſed ſince I firſt became acquainted with your intention of meeting. At the ſame time I feel aſſured that no language I could have uſed would have done anything like juſtice to the ſkill and diſintereſted devotion of the medical gentlemen, or by any means adequately expreſſed the feelings of the public on this occaſion. I will not detain you longer, but beg at once to move the Reſolutions."

But while the biſhop was extolling the conduct of the medical men, his detractors were loud in cenſuring his own. Why had he quitted his cathedral city, they aſked, at a ſeaſon of ſuch unprecedented ſadneſs? Why had he not given the clergy the comfort of his preſence in the diſcharge of their trying and perilous duties? It is true enough that the biſhop was abſent from Exeter, with the exception of two or three hurried viſits, during the whole time in which the plague was raging, and thus a kind of colour was given to theſe complaints. But he was not conſulting for his own ſafety, or ſeeking his own convenience, much leſs was he flying from duty; and they who attribute fear to him can know little of thoſe iron nerves which the preſence of no danger has been ſtrong enough to ſhake. The truth is, he was abſent on a Confirmation tour, planned ſome time previouſly, the due completion of which was of paramount importance to the various pariſhes which he deſigned to viſit. No thought, therefore, of danger or perſonal inconvenience could induce him to change his plan. While his family, then, were in comparative ſafety in the pleaſant water-

ing place of Teignmouth, the biſhop was traverſing his dioceſe from pariſh to pariſh, confirming the younger members of his flock, and ſhowing that the preſence even of the cholera itſelf was in his judgment no bar to their receiving the means of grace.

CHAPTER XXVI.

Confirmation Tour. Conſecration of Bedford Chapel. The Biſhop's Letter to the Mayor on the Queſtion of poſtponing it. The Biſhop preſents to a Living by "lapſe." Remarks on it. The Precentorſhip of Exeter Cathedral. Further Promotion of the Biſhop's Son. The Biſhop and his Family return to Exeter from Teignmouth. Anniverſary of Society for Propagating the Goſpel in Foreign Parts. Ordination. Cloſe of the Second Year of Epiſcopate.

THE Confirmation tour referred to in the laſt chapter commenced on Auguſt the 6th, and continued until the 16th of the ſame month. It was renewed on September the 1ſt, and terminated on the 15th.

At intervals during this time the biſhop paid ſhort viſits to Exeter; upon one occaſion for the conſecration of Bedford chapel, a hideous building which had recently been erected. It had been arranged that it ſhould be conſecrated on Auguſt the 4th; but as the cholera was then raging in the city, the biſhop was doubtful about the propriety of proceeding with the ceremony, for reaſons which are aſſigned by his lordſhip in the following letter to the mayor (William Kennaway, Eſq.):—

"Dear Sir, "Teignmouth, 2 Auguſt, 1832.

"Under the peculiar circumſtances of the time, when it has pleaſed God to ſend the cholera into our city, I feel it my duty to communicate with you before I finally reſolve on

performing a ceremony which may draw a large concourſe of people together, and ſo may endanger the further propagation of the diſorder. I allude to the intended conſecration of the new church in Bedford Circus. If you, under the advice of the Medical Board, wiſh that the ceremony ſhould be deferred, I ſhall certainly comply. In ſaying this, I aſſure you that I have no perſonal apprehenſion, nor do I myſelf foreſee any greater danger than from a large congregation at church on an ordinary occaſion, unleſs it be probable that there will be a confluence of perſons from the infected parts of the place. If there be not the probability of danger, I would greatly prefer letting the ſervice proceed as was intended.

" Your faithful Servant,

" The Right Worſhipful " H. EXETER.
the Mayor of Exeter."

The biſhop's letter was duly conſidered; and it having been intimated that no riſk of a confluence of perſons from infected parts was to be anticipated, his lordſhip came to Exeter and conſecrated the chapel on Auguſt the 4th, and after the ſervice immediately left for Teignmouth.

On the 17th of this month (Auguſt), he preſented the Rev. Robert Gee to the vicarage of Paignton, near Torquay. This was by lapſe. It will be neceſſary to explain the principle of " lapſe," and the uſe to which it has been turned by the biſhop. And this is the more imperative ſince his conduct, in this particular, has been the ſubject of ſevere and very extenſive animadverſion. Inſtead, however, of entering upon the queſtion in this place it is thought more convenient to poſtpone it till the caſe of a living comes under

conſideration which was the ſubject of protracted litigation, and which furniſhed occaſion for bitter remark. The various inſtances in which the biſhop has availed himſelf of a "lapſe" to preſent to benefices will then be examined.

The Confirmation tour being ended, the biſhop returned to Exeter, and immediately afterwards left for Teignmouth, where his family were ſtill ſtaying.

The precentorſhip of the cathedral having become vacant by the death of the Rev. Thomas Bartlam, the biſhop conferred it on the Rev. Thomas Hill Lowe (afterwards Dean of Exeter), and at the ſame time collated him to a prebendal ſtall in the cathedral. This gentleman had hitherto held the vicarage of Grimley, with the chapel of Hallow annexed, in the dioceſe of Worceſter; a comfortable piece of preferment, which he reſigned on being promoted to cathedral honours in Exeter, and to which the biſhop's ſon, the Rev. John Phillpotts, of whom mention has been made already,* was collated. The Rev. Uriah Tonkin was preſented by the biſhop to the living of Uny, vacated by his ſon, Mr. Phillpotts.

Early in October the biſhop and his family returned to Exeter, where he continued in reſidence at the palace for ſeveral weeks. On the 25th of that month the anniverſary of the Society for Propagating the Goſpel in Foreign Parts, and the Society for Promoting Chriſtian Knowledge, was held. The civic

* See page 325.

authorities walked in procession to the cathedral, and, after an impressive sermon by the bishop from Matt. xxiv. 14, a collection was made, amounting to 74*l.* After service there was the usual meeting at the Guild-hall, the bishop in the chair; but the proceedings were of the ordinary character, and require no notice.

On the 28th of October—still in disregard of the Ember Season—an Ordination was held in the cathedral, at which nine deacons and fourteen priests were ordained.

The next two months were spent by the bishop in the general work of superintending his diocese. He frequently preached in the churches of Exeter and the neighbourhood, and his discourses were invariably listened to by a reverent and respectful congregation. Nothing worthy of record occurs to mark the close of the second year of his episcopate; but the year that was opening was destined to be an eventful one.

APPENDIX.

A.

Chronological Liſt of the Biſhops of Exeter.

A. D.

1050. Leofric.
1073. Oſbern, or Oſbert.
1107. William Warelwaſt.
1138. Robert Chicheſter.
1155. Robert Warelwaſt—nephew to William, the third Biſhop.
1161. Bartholomew.
1186. John.
1194. Henry Marſhall.
1214. Simon de Apulia.
1224. William Briwere, or Bruere.
1245. Richard Blondy.
1258. Walter Broneſcombe.
1280. Peter Quivil.
1292. Thomas de Bytton.
1308. Walter de Stapledon.
1327. James Barkley.
1327. John de Grandiſſon.
1370. Thomas de Brantyngham.
1395. Edmund Stafford.
1419. John Catterick.
1420. Edmund Lacy.
1458. George Nevylle.
1465. John Bothe.
1478. Peter Courtenay.

1487. Richard Fox.
1493. Oliver King.
1495. Richard Redmayne.
1502. John Arundell.
1504. Hugh Oldham.
1519. John Veyſey. (Deprived 1551.)
1551. Myles Coverdale.
1553. John Veyſey. (Reſtored.)
1555. James Turberville.
1560. William Alley.
1571. William Bradbridge.
1578. John Woolton.
1595. Gervaſe Babington.
1598. William Cotton.
1621. Valentine Cary.
1627. Joſeph Hall.
1642. Ralph Brownrigg.
1660. John Gauden.
1662. Seth Ward.
1667. Anthony Sparrow.
1676. Thomas Lamplugh.
1688. Jonathan Trelawney.
1707. Offspring Blackall.
1716. Lancelot Blackburn.
1724. Stephen Weſton.
1742. Nicholas Clagett.
1746. George Lavington.
1763. Frederick Keppel.
1778. John Roſs.
1792. William Buller.
1797. Henry Reginald Courtenay.
1803. John Fiſher.
1807. George Pelham.
1820. William Carey.
1830. Chriſtopher Bethell.
1831. Henry Phillpotts.

It occaſionally happened that ſome time elapſed between the death or tranſlation of a biſhop and the appointment of a ſucceſſor. It cannot, therefore, always be aſcertained with accuracy from the figures how long the epiſcopate of each laſted.

It is worthy of remark that, of the ſixty biſhops of Exeter, only three have filled the epiſcopal chair for a longer period than the preſent occupant, viz :—John de Grandiſſon, who was conſecrated in 1327 and died in 1369, having been biſhop for forty-two years; Edmund Lacy, who was tranſlated from Hereford in 1420 and died in 1455, having been biſhop for thirty-five years; and John Veyſey, who was conſecrated in 1519, and was deprived in 1551, after an epiſcopate of thirty-two years. He was reſtored in 1553, and died the following year, having been biſhop for thirty-three years, not including the time during which he was deprived.

B.

Oath to the Pope taken by Roman Catholic Prelates.

"I, N. N., Archbiſhop or Biſhop of the Church N., will henceforward be faithful and obedient to S. Peter the Apoſtle, and the Holy Roman Catholic Church, and to our Lord N. Pope, and his ſucceſſors canonically inſtituted. I will not in counſel, in conſent, or in deed, be acceſſory to their loſing life or limb: or that they be taken by wrongful caption; or violent hands, in any ſort, be laid upon them; or any injuries inflicted, under any pretence whatever. Moreover, the counſel which they ſhall entruſt to me by themſelves, or by their Nuncios, or by letters, I will not diſcloſe to any one to their loſs knowingly. The Roman Papacy and the Royalties of S. Peter I will aſſiſt them to retain and defend (*ſalvo meo ordine*) againſt every man. The Legate of the Apoſtolic See, in his journeys to and fro, I

will honourably entertain, and will aſſiſt in all his needs. The rights, the honors, privileges, and authority of the Holy Roman Church, of our Lord the Pope, and of his ſucceſſors aforeſaid, I will take care to preſerve, defend, augment, and promote. Neither will I be in counſel, nor in act, or enterpriſe, in which any things be deviſed againſt the ſame our Lord, or the ſame the Church, hurtful or prejudicial to their perſons, right, honor, ſtate, or power. And if I ſhall know any ſuch things treated of, or prepared, I will hinder it, to the beſt of my power; and, as ſoon as I can, will ſignify it to the ſame our Lord, or to ſome other by whom it may come to his knowledge. The rules of the Holy Fathers, decrees, ordinances, or diſpoſitions, reſervations, proviſions, and mandates apoſtolic, I will obſerve with all my might, and will make to be obſerved by others. When called to a Synod I will come, unleſs I ſhall be prevented by a canonical impediment. The apoſtolic reſidence I will viſit myſelf in perſon every ten years; and to our Lord and his ſucceſſors aforeſaid will render account concerning my paſtoral office, and concerning all things to the ſtate of my church, to the diſcipline of my clergy and people, appertaining; and the mandates Apoſtolic given thereupon I will humbly receive, and with all diligence perform. But if by any legitimate impediment I ſhall be detained, all the things aforeſaid I will fulfil by a ſure meſſenger, having ſpecial commiſſion for that purpoſe, out of the boſom of my chapter, or another placed in a dignity eccleſiaſtical, or otherwiſe having a parſonage, or, in defect of theſe, by a dioceſan prieſt; and if there be no clergy, by ſome ſecular or regular Preſbyter of tried probity and religion, fully inſtructed concerning all the things aforeſaid. But, reſpecting the impediment aforeſaid, I will give lawful proofs, to be tranſmitted through my ſaid meſſenger to the Cardinal of the Holy Roman Church, prefect of the congregation *De propaganda Fide*. Moreover, the poſſeſſions to my table appertaining I will not ſell, nor give, nor pledge, nor put

in feoffage anew, or in any way alienate, even under the conſent of the chapter of my church, without firſt conſulting the Roman Pontiff. Theſe things all and ſeverally I will the more inviolably obſerve, the more aſſured I am that nothing is contained therein which can conflict with my due fidelity towards the moſt ſerene King of Great Britain and Ireland, and the ſucceſſors to his throne. * So help me God, and theſe Holy Goſpels of God.

"So do I, N. N., Archbiſhop or Biſhop of the Church N., promiſe and engage."

C.

Oath to be taken by 3 James I. c. 4. s. 18.

"I, A. B., do truly and ſincerely acknowledge, profeſs, teſtify, and declare in my conſcience before God and the world, that our Sovereign Lord King James is lawful and rightful King of this realm, and of all other His Majeſty's dominions and countries; and that the Pope, neither of himſelf, nor by any authority of the Church or See of Rome, or by any other means, with any other, hath any power or authority to depoſe the King, or to diſpoſe of any of his Majeſty's kingdoms or dominions, or to authorize any foreign prince to invade or annoy him or his countries, or to diſcharge any of his ſubjects of their allegiance and obedience to his Majeſty, or to give licence or leave to any of them to bear arms, raiſe tumults, or to offer any violence or hurt to His Majeſty's royal perſon, ſtate, or government, or to any of His Majeſty's ſubjects within his dominions. And I do ſwear from my heart, that, notwithſtanding any declaration or ſentence of excommunication or deprivation made or granted, or to be made or granted, by the Pope or his ſucceſſors, or any authority derived or pretended to be derived from him or his ſee againſt the ſaid King, his heirs or ſucceſſors, or any abſolution of the ſaid ſubjects from their obe-

dience, I will bear faith and true allegiance to His Majeſty, his heirs and ſucceſſors, and him and them will defend, to the uttermoſt of my power, againſt all conſpiracies and attempts whatſoever which ſhall be made againſt his or their perſons, their Crown and dignity, by reaſon or colour of any ſuch ſentence or declaration, or otherwiſe, and will do my beſt endeavour to diſcloſe and make known to His Majeſty, his heirs and ſucceſſors, all treaſons and traitorous conſpiracies, which I ſhall know or hear of to be againſt him or any of them. And I do further ſwear that I do from my heart abhor, deteſt, and abjure, as impious and heretical, this damnable doctrine and poſition, that Princes, which be excommunicated or deprived by the Pope, may be depoſed or murdered by their ſubjects, or any other whatſoever.

"And I do believe, and in my conſcience am reſolved, that neither the Pope, nor any other perſon whatſoever, hath power to abſolve me of this oath, or any part thereof, which I acknowledge by good and full authority to be lawfully miniſtered unto me, and do renounce all pardons and diſpenſations to the contrary.

"And all theſe things I do plainly and ſincerely acknowledge and ſwear, according to theſe expreſs words by me ſpoken, and according to the plain and common ſenſe and underſtanding of the ſame words, without any equivocation or mental evaſion, or ſecret reſervation whatſoever; and I do make this recognition and acknowledgment, heartily, willingly, and truly, upon the true faith of a Chriſtian.

"So help me God."

END OF VOL. I.

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